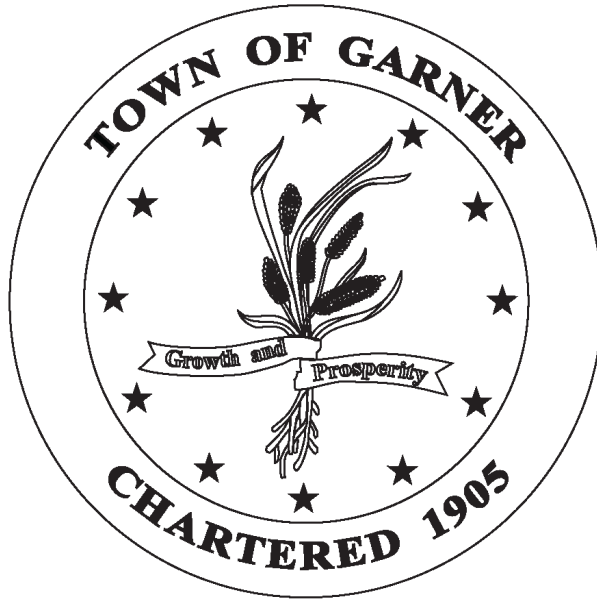


TOWN OF GARNER



TOWN COUNCIL MEETING

August 5, 2019
7:00 P.M.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Town Council Agenda
August 5, 2019**

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

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

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

- B. PLEDGE OF ALLEGIANCE: Council Kathy Behringer

- C. INVOCATION: Council Member Kathy Behringer

- D. PETITIONS AND COMMENTS

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

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

- G. CONSENT

1. Correction to 2020 Holiday Schedule Page 5
Presenter: Rodney Dickerson, Town Manager

The 2020 Holiday Schedule included Friday July 3, 2020 as a holiday, which conflicts with the Town's Independence Day Celebration on July 3rd. Staff recommends changing the holiday to Monday July 6, 2020.

Action: Consider amending the 2020 Holiday Schedule to recognize July 6th as a holiday instead of July 3rd.

2. Council Meeting Minutes Page 7
Presenter: Stella Gibson, Town Clerk

Council meeting minutes and closed session minutes from June 18 and June 25, 2019.

Action: Consider adopting minutes

3. Town Attorney Retainer Agreement Page 19
Presenter: William E. Anderson, Town Attorney

The proposed Town Retainer Agreement provides for ongoing legal services to the Town.

Action: Consider approving Town Attorney Retainer Agreement

4. Contract for Lobbying Services Page 23
Presenter: Rodney Dickerson, Town Manager

The purpose of this Agreement includes representation of the Town regarding issues important to the Town at the North Carolina General Assembly and at other State and local boards and agencies including the Wake County Public School System, NC DOT and the Wake County Commission, developing working relationships with individuals at the North Carolina General Assembly and at other state and local boards and agencies, monitoring the general activities of these agencies, developing a stronger understanding of the manner in which these entities are making decisions, and relaying such information to our Mayor, Town Council, and Town Manager.

Action: Consider authorizing Execution of Contract

5. White Oak, Hebron Church, Ackerman Roundabout Page 26
Presenter: Chris Johnson, PE – Town Engineer

Provide Town Council with draft LAPP agreement from NCDOT for right of way and construction cost sharing.

Action: Authorize Town Manager to execute the LAPP agreement and submit back to NCDOT for execution.

6. Ordinance Amending FY2019/2020 Operating Budget Page 52
Presenter: David Beck, Finance Director

The police department has been awarded a grant through the Governor's Crime Commission. The grant will be used to purchase mobile field force equipment. The grant does not require a local match.

Action: Consider adopting budget amendment ordinance (2019) 3990

H. PUBLIC HEARINGS

1. Annexation 19-05, Winston Property Page 55
Presenter: David Bamford, Planning Services Manager

Contiguous annexation petition submitted by Melody Winston for 3.9 +/- acres located at 704 Maxwell Drive, also identified as Wake County PIN# 1701-44-1775.

Action: Consider adoption of annexation ordinance (2019) 3987

2. Annexation 19-06, Blackwell Property Page 60
Presenter: David Bamford, Planning Services Manager

Satellite annexation petition submitted by Patricia Blackwell for 2.1 +/- acres located at 2117 Clifford Road, also identified as Wake County PIN# 1629-45-3205.

Action: Consider adoption of annexation ordinance (2019)3988

3. CUD-Z-19-03, Kennedy Ridge Subdivision/ CUP-SB-19-01
Kennedy Ridge Subdivision..... Page 65
Presenter: David Bamford, Planning Services Manager

Conditional rezoning (CUD-Z-19-03) with associated site plan (CUP-SB-19-01) request submitted by Dan Ryan Builders to rezone 16.2 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family Residential (MF-1 C216) conditional use and to develop 64 townhome units. The site is located on Creech Road and may be further identified as Wake County PINs# 1711-76-8003 & 1711-75-1835.

Action: Consider adoption of Ordinance (2019)3989

4. SUP-18-05, Holiday Inn Page 90
Presenter: Alison Jones, Planner II

Special use site plan (SUP-SP-18-05) request submitted by Anh Hospitality, LLC to develop a 5.03 +/- acre tract for hotel/motel use. The site is located at 312 US Highway 70 East and may be further identified as Wake County PIN# 1710-99-1886.

Action: Consider approval of special use permit SUP-SP-18-05.

5. CUP-SP-19-03 Tarheel Paper Page 101
Presenter: Lauren Long, Planner I

Conditional use site plan (CUP-SP-19-03) request submitted by Tony M. Tate Landscape Architecture, PA to develop a 4.93 +/- acre site for office / warehouse use. The site is located in White Oak Business Park East at 140 Spaceway Court and may be further identified as Wake County PIN# 1730-31-9476.

Action: Consider approval of conditional use permit CUP-SP-19-03.

I. NEW/OLD BUSINESS

1. Facility Naming Request – Rand Mill Park Page 113
Presenter: Matt Roylance, Assistant Town Manager – Operations

Pursuant to the Town's recently approved Facility Naming Policy (attached), Mechele Collins has submitted a request to rename Rand Mill Park in honor of former Council Member Jackie Johns.

Action: Consider the request from Ms. Collins to rename Rand Mill Park as Jackie Johns Community Park.

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. garner info
2. Building & Permit Report

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURNMENT

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Correction to 2020 Holiday Schedule		
Location on Agenda: Consent		
Department: Administration		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: The 2020 Holiday Schedule included Friday July 3, 2020 as a holiday, which conflicts with the Town's Independence Day Celebration on July 3rd. Staff recommends changing the holiday to Monday July 6, 2020.		
Recommended Motion and/or Requested Action: Consider amending the 2020 Holiday Schedule to recognize July 6th as a holiday instead of July 3rd.		
Detailed Notes: At the July 16, 2019, meeting, Council approved the 2020 Holiday Schedule, which mirrors the holiday schedule for the State of North Carolina as is our typical practice. Because July 4th falls on a Saturday in 2020, the State recognized the holiday for their employees on Friday, July 3rd. But due to the Town's July 3rd Independence Day Celebration, staff should have deviated from the State's schedule and recognized the holiday for Town employees on Monday July 6th. Unfortunately that change was not reflected in the resolution Council approved.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MR	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2019) 2382A
A RESOLUTION OF THE TOWN OF GARNER TOWN COUNCIL
ADOPTING THE UPDATED 2020 HOLIDAY SCHEDULE

WHEREAS, the Town of Garner offers employee holidays on the same schedule as the State of North Carolina; and

WHEREAS, the North Carolina State Employee Holiday Schedule is as follows:

HOLIDAY	OBSERVANCE DATE	DAY OF WEEK
New Year's Day	January 1, 2020	Wednesday
Martin Luther King Jr.'s Birthday	January 20, 2020	Monday
Good Friday	April 10, 2020	Friday
Memorial Day	May 25, 2020	Monday
Independence Day	July 6, 2020	Monday
Labor Day	September 7, 2020	Monday
Veteran's Day	November 11, 2020	Wednesday
Thanksgiving	November 26 & 27, 2020	Thursday & Friday
Christmas	December 24, 25 & 28, 2020	Thursday, Friday & Monday

BE IT FURTHER RESOLVED that the Town of Garner Town Council adopts the above referenced holiday schedule for 2020.

THIS RESOLUTION passed and adopted this 5th day of August 2019.

Ronnie S. Williams, Mayor

ATTEST: _____
Stella Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: Council meeting minutes and closed session minutes from June 18 and June 25, 2019.		
Recommended Motion and/or Requested Action: Consider adopting minutes		
Detailed Notes: 		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Town Council Meeting Minutes
June 18, 2019**

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

CALL MEETING TO ORDER/ROLL CALL

Present: Mayor Ronnie Williams, Council Member Kathy Behringer, Mayor ProTem Ken Marshburn, Council Member Buck Kennedy, Council Member Gra Singleton, and Council Member Elmo Vance

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Forrest Jones-Public Works Director, Rick Mercier-Communications Manager, Brandon Zuidema-Police Chief, Lori Smith-Police Captain, Chris Johnson-Planning Director, BD Sechler-Human Resources Director, Alice Mahood-Intern, Jeff Triezenberg-Planning Director, and Pam Wortham-Finance Director, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

Chris McGinnis addressed Council regarding pending litigation at 4408 Jessup Drive.

ADOPTION OF AGENDA

Request to add closed sessions for litigation, real estate acquisition and personnel matters.
Request to add an item under Old/New Business to appoint acting finance director.

Motion: Marshburn
Second: Behringer
Vote: 5:0

PRESENTATIONS

CONSENT

Stop Condition Ordinance within McCuller's Walk Townhomes

Presenter; Chris Johnson, Town Engineer

Request to amend Town Code of Ordinances to include two stop conditions for Amber Acorn Avenue and Misty Pike Drive within the McCuller's Walk Townhomes.

Action: Consider adopting Ordinance (2019) 3978

Ordinance Amending Recreation Center Capital Project Ordinance

Presenter: Pam Wortham, Finance Director

Request to establish a budget for a grant that was appropriated to the Town by the General Assembly from DNCR in the amount of \$50,000. We are also requesting to budget interest earnings from the investment of bond proceeds and decrease the budget for the CDBG grant. This amendment will utilize the contingency dollars that were set aside at the beginning of the Rec Center project and establishes the budget for the underground power portion of the project, which are being transferred from the Street and Sidewalk Bonds.

Action: Consider adopting Ordinance (2019) 3979

Ordinance Amending FY 2018/2019 Operating Budget (Stormwater Repair)

Presenter: Pam Wortham, Finance Director

There is a partial stormwater pipe collapse on Lakeside Drive. This qualifies for Powell Bill funds, and we propose to utilize Powell Bill restricted fund balance to make this repair.

Action: Consider adopting Ordinance (2019) 3980

Ordinance Amending the White Oak Creek Sewer Outfall Project

Presenter: Pam Wortham, Finance Director

This amendment is to budget for the contract with North State Water & Sewer as approved by Town Council at the May 6, 2019 meeting. Construction costs will be budgeted at \$597,536 and a contingency of \$29,877. We propose to utilize a portion of the remaining Acreage fees (\$313,913) and a reimbursement from the City of Raleigh's sewer oversizing policy, estimated to be \$313,500.

Action: Consider adopting Ordinance (2019) 3981

Easements for Timber Drive Sidewalk Project

Presenter: William E. Anderson, Town Attorney

This Resolution of Intent is to acquire rights-of-way and easements needed for construction of sidewalks on Timber Drive, by negotiated purchase if possible or by eminent domain if necessary.

Action: Consider adopting Resolution (2019) 2379

Motion: Marshburn
Second: Behringer
Vote: 5:0

PUBLIC HEARINGS

NEW/OLD BUSINESS

Ordinance Adopting the FY2019/2020 Budget and Supporting Documents

Presenter: Mike Franks, Budget & Special Projects Manager

Review of proposed changes to the FY 2019/2020 Recommended Budget as well as review of the FY 2019/2020 Fee Schedule and Position Classification Plan as these will be approved as part of the budget. The Fee Schedule includes only formatting changes. The Position Classification Plan incorporates the recommended changes associated with the results of the Pay and Class studies in Police, Parks and Fire Departments. This budget also includes a tax rate increase of 2.75-cents.

Action: Consider adopting Ordinance (2019) 3982

Motion: Marshburn
Second: Kennedy
Vote: 4:1

Council Member Singleton voted nay.

Council Member Singleton stated he was opposed to the tax rate increase because he felt taxes were increased last year by adding the \$15 vehicle tax, which was dedicated to roadways and sidewalks throughout the Town. He added, this tax was a big impact last year.

Appointment of Interim Finance Director

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson advised Pam Wortham, Finance Director, will be retiring effective June 28. State Statutes require Town's to have a Finance Director at all times. A new Finance Director has been hired and is scheduled to start July 10. This request is to appoint Mike Franks as Interim Finance Director from June 28 through July 9.

Motion: Kennedy
Second: Marshburn
Vote: 5:0

COMMITTEE REPORTS

Mayor ProTem reported the Human Resources Committee conducted interviews to fill vacant positions on various boards and committees. Recommendations will be brought forth at the June 28 Work Session.

MANAGER REPORTS

- garner info
- Finance Report
- Building & Permit Report

- July 3rd Logistics

ATTORNEY REPORTS

COUNCIL REPORTS

Kennedy

- Requested to place discussion of an RFP for master planning at the Yeargan property on the July work session agenda. This was not included in the scope of the current planning.
- Asked if a Public Works Committee meeting was needed to discuss contract requirement terms and conditions or if discussion could be placed directly on an agenda.
- Confirmed additional change orders are forthcoming for the Rec Center project.

Singleton

- Clarified the Pine Ridge Apartment complex received Wake County affordable housing funding; this project is not subsidized, but is income based.

Marshburn

- Asked staff to contact the individuals who requested the Town recognize Council Member Jackie Johns, who passed away earlier this year, to see if they were still interested. If not, he requested Council address a tangible way to recognize Mr. Johns.

Behringer

- Asked for an update on moving the Depot. Mr. Dickerson advised he has been meeting with the Garner Area Historical Society and they are in the process of obtaining a site plan which should be complete within the next two weeks. Once complete, the site plan, a cost estimate, and a sample MOU will be presented to Council. If possible, this will be placed on the July 16 council meeting agenda.
- Asked if information had been received from NC DOT regarding the Don Rohrbaugh bridge. Staff advised DOT is aware of the problem with compaction of material under part of the structure and are developing scenarios of how to repair.
- Recognized Dean Locklear, a rising senior at Wake Christian Academy, who has an interest in government.

Vance

- Asked when the roadwork at US70 & Montague would begin? Mr. Johnson advised it would be the July/August time frame. Work will begin at Montague & Purvis in late June/July.
- Hwy 50 bridge replacement update – currently in the process of right-of-way acquisition. Goal is to put out for construction bids in the summer.

Mayor ProTem Marshburn, Council Members Kennedy and Singleton commended the Public Works Department for trimming the hedges at the Yeargan property site.

CLOSED SESSIONS

Pursuant to N.C. General Statutes Section 143-318.11(a)(6) “to discuss the qualifications, competence, performance, character, fitness, or conditions of appointment of an individual public officer or employee.”

Pursuant to N.C. General Statutes Section 143-318-11(a)(5)) “to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate.”

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

Motion: Marshburn
Second: Kennedy
Vote: 5:0

RETURN TO REGULAR SESSION: 9:03 p.m.

Council Member Singleton reported no action was taken during the closed sessions.

ADJOURNMENT: 9:56 p.m.

Motion: Singleton
Second: Marshburn
Vote: 5:0

**Town of Garner
Work Session Minutes
June 25, 2019**

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

CALL MEETING TO ORDER/ROLL CALL

Present: Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Buck Kennedy, Council Member Gra Singleton, Council Member Kathy Behringer and Council Member Elmo Vance

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager- Development Services, Brandon Zuidema-Police Chief, Lori Smith-Police Captain, Pam Wortham-Finance Director, BD Sechler-HR Director, Jeff Triezenberg-Planning Director, Rick Mercier-Communications Manager, William E. Anderson- Town Attorney, and Rebecca Schlichter-Deputy Town Clerk

ADOPTION OF AGENDA

Mr. Dickerson requested to add a closed session for property acquisition and Mr. Anderson requested a closed session for litigation.

Motion: Marshburn
Second: Singleton
Vote: 5:0

REPORTS/DISCUSSION

Human Resources Committee Nomination to Various Town Board and Commissions

Presenter: Ken Marshburn, Mayor ProTem

The Town Council Human Resources Committee held meetings to discuss and conduct interviews and recommend appointments to the Planning Commission, Parks Recreation and Cultural Resources Advisory Committee, Senior Citizens Advisory Committee and the Veterans Advisory Committee.

Action: The Committee nominated the following to the Boards and Commissions: Planning Commission – re-appoint John Blasco, J. Dean Fox, Vira Hogan and Vang Moua to expire June 30, 2021; Board of Adjustment – re-appoint John Milner and Joseph Keller and appoint Judith Radcliffe, Willie DuPree (alt) and Ellis Williams (alt) to expire June 30, 2022; PRCR - re-appoint Chris O'Connor and appoint Cassandra Liles and Hope Weber to expire June 30, 2022; Senior Citizens Advisory - re-appoint Charlie Pearce and appoint Tony Derico to expire June 30, 2022; Garner Veterans Advisory- re-appoint Jeffrey Hicks and appoint Matthew Pedone to expire June 30, 2022.

Motion: Marshburn
Second: Vance
Vote: 5:0

HR Policy Manual Update Review

Presenter: BD Sechler, HR Director

Mr. Sechler reviewed proposed updates to the current policy manual.

Policy Review Goals

- To ensure TOG HR policies are up to date, clear, consistent, reflect our culture and meet legal requirements
- To ensure policy manual is user friendly, formatted properly, searchable and properly laid out
- To ensure policy reviews are completed on an on-going basis

Team Effort

- A cross functional team of staff met to review manual and recommend modifications
Team members included Kim Storey, JoAnne Crabtree, Morgan King, Jason Pierce, Brandon Zuidema, Forrest Jones, Jack Baldwin and BD Sechler

Steps Taken & Timeline

- March 2018 – August 2018 – Team Review
- September 2018 – November 2018 – Manager's Office Review
- January 2019 – March 2019 – Updates and Edits
- April 2019 – May 2019 – DH Review and Updates
- June 2019 – Presentation to Council

Project Outcomes

- Recommendation to shift Town Policy responsibility from Town Council to Town Manager
- Thorough review of all HR policies. Assurance policies are accurate, legal and reflect practice
- New format and numbering system which is easier to identify and update
- Process and timeline for prescribed policy reviews to ensure compliance

Green, Yellow, Red Change Tracking Methodology

- Green, Same content was moved to new section or different policy
- Yellow, Updated policy to match current agreed upon town practice
- Red, Recommended change to current policy

Examples of Green

- Consolidation of examples or definitions
- Moves I-9 language from conditions of employment to new recruitment section
- Re-order of policy to place greater emphasis on ethical conduct at beginning of policy
- Moves driving language to separate policy

Examples of Yellow

- Clarifies HR involvement and responsibility for recruiting
- Clarifies the need to call 911 in the event of an imminent act or threat of violence
- Clarifies the process for non-disciplinary suspensions
- Corrects the EEO language for consistency with current law

In-Depth Review of Red

- General Administration
Shift approval from Council to Manager
Ongoing updates to manual
Scheduled review process
- Conditions of Employment
Adds reference to ICMA code of ethics

- Adds ability for Town Manager to grant exception to nepotism policy
- Adds clarifying language to tattoo policy
- Harassment & Sexual Harassment
 - Adds determination as to whether a criminal violation occurred
 - Updates process for taking witness statements
 - Removes “under oath” requirement
 - Clarifies sharing of policy and timing of training
- Drug & Alcohol
 - Definitions updated and broken into specific categories
 - Lowers acceptable BAC
 - Updates references to disciplinary action
 - Removes requirement for mandatory disciplinary action
- Work Eligibility
 - Clarifies the guidelines for temporary duty eligibility
- Employee Benefits
 - Add reference to optional 457 retirement program
- Employee Leave
 - Removes restriction for probationary employees to use vacation
- Separation & Reinstatement
 - Adds language regarding Town recognition for retirees
- Disciplinary Investigations & Actions
 - Adds employee responsibility language
 - Adds supervisory responsibility language
 - Definitions revised
 - Clarifies investigation process
- Separation & Reinstatement
 - Adds language regarding Town recognition for retirees
- Disciplinary Investigations & Actions
 - Adds employee responsibility language
 - Adds supervisory responsibility language
 - Definitions revised
 - Clarifies investigation process
- Driving Policy
 - Significant "clean-up" of policy, to include the removal of reference to a "Review Panel" of employees relating to driving offenses.

Council consensus to make the policy available for review and bring back at the July work session

UDO-19-02, Fee-in-Lieu of Roadway Improvements

Presenter: Jeff Triezenberg; Planning Director

Mr. Triezenberg presented an application from the Planning Department staff to optionally allow - due to specific circumstances which are to be defined - and authorize the necessary mechanisms for collecting a fee-in-lieu of roadway improvements required by the Unified Development Ordinance, including any off-site roadway improvements resulting from Traffic Impact Analysis discussions not otherwise required by NCDOT.

I. INTRODUCTION

The Garner Unified Development Ordinance (UDO) does not currently allow for the option of a developer to submit a fee-in-lieu of street construction under any circumstance. Consequently, when a developer encounters a topographical challenge near the edge of their property that does not allow them to complete a street section to the actual property line, the Town has only been able to ask the developer to dedicate right-of-way for the future improvements. Unfortunately, this puts the Town in the future position of needing to find funds to complete the connecting street improvements once the adjacent property develops. A recent example was the extension of Ackerman Road through the Rhora Subdivision.

Upon review by the Town Attorney, it has been determined that the Town does have the authority to establish and collect a fee-in-lieu of road improvements. Town staff does not recommend a carte blanche fee-in-lieu program; rather, we envision select circumstances where the Town would offer the option via codified language within the Garner UDO.

II. FEE-IN-LIEU ALLOWANCES FROM OTHER WAKE JURISDICTIONS

TOWN of APEX: Street stubbing requirements

- When environmental constraints prevent a stub from being built to a distance of 10 feet or less from the adjacent property line.
- In the event of stream crossings requiring a bridge or other improvement that straddles the property line, the appropriate share must be determined by engineers.
- Engineer's estimates include clearing, grubbing, grading, drainage structures, utility lines, curb and gutter, sidewalk, paving and permitting fees.
- Fees collected go to the eventual developer on the adjacent tract or to the Town should the Town elect to finish the stub/crossing.

TOWN of WAKE FOREST: Street stubbing requirements

- In the event of stream crossings requiring a bridge or other improvement that straddles the property line, half of the cost of the construction is collected based on a certified engineer's estimate.

TOWN of KNIGHTDALE: Street stubbing requirements; Frontage requirements

- When the need for a culvert, bridge or other structure prevents a stub from being extended to the adjacent property line.
- When a temporary turnaround is required in place of final stub improvements.
- When a town project includes the same improvements identified and that town project already has a commitment of funding – this includes projects in the Town's CIP or through any Federal/State program such as LAPP.
- Fees collected are authorized for any street construction in the Town.

TOWN OF FUQUAY-VARINA: Street stubbing requirements; Frontage requirements

- When a stream crossing subject to Federal, State or local regulatory requirements and permitting prevents a roadway from being stubbed to the property line. *NOTE: Does not apply to widening of existing roads identified in the Town's transportation plan.*
- When a stub would normally be required but for an identified reason is likely not to be connected in the future.
- Along US 401, NC 55 and NC 42 when an NCDOT project appears in the current STIP.
- Fee includes total estimate cost plus 25% of all surveying, engineering designs and plans, regulatory permitting, regulatory mitigation cost, administration / mobilization, testing

and inspection of construction work, utility relocations and all construction improvements based on plans prepared by a registered engineer and agreed to by the Town Engineer.

III. GENERAL PROPOSAL

Staff have identified the following allowances recommended for inclusion in the proposed amendment to be presented at the public hearing:

- When a stream crossing subject to Federal, State or local regulatory requirements and permitting prevents a roadway from being stubbed or the frontage of an existing roadway from being widened to the property line.
- When any other environmental or topographical constraint prevents a stub from being built to a distance of 10 feet or less from the adjacent property line.
- When a public project includes the same improvements identified and that public project already has a commitment of funding – this may be through the Town’s CIP, CAMPO-administered Federal/State programs such as LAPP, and the NCDOT’s STIP.
- Following a TIA, when the Town and developer agree to off-site capacity improvements on roadways serving multiple developments but also benefit the residents/users of the proposed development, and these improvements are not advised by the maintaining authority to be constructed on their own due to operational concerns.
- Fee estimates to include clearing, grubbing, grading, drainage structures, utility lines, curb and gutter, sidewalk, paving and permitting fees. Estimates prepared by a registered engineer and agreed to by the Town Engineer.

Council consensus to refer to the Public Works Committee

MANAGER REPORTS

COUNCIL REPORTS

Vance

- Requested status update on the New Bethel Church bridge.
- Asked if the contract has been executed on the study of Jones Sausage Road. Mr. Triezenberg reported the contract is being circulated for signature.
- In reference to an issue with rain runoff on New Rand Road, there was a problem with grass growing up to the storm drain. Requested NCDOT schedule for this repair.

Behringer

- As you are approaching Hwy 70 from the north on New Rand Road, there is a sharp drop off that needs to be filled in.
- Reported that a developer commented on how easy to work with Jeff Triezenberg.

Marshburn

- Commended efforts in preparing the Personnel Manual.
- Commended Mr. Triezenberg for working so well with developers.
- Reminded everyone of the annual July 3rd event.

Singleton

- Thanked everyone for the hard work and expressed his concern over using the Police Chief to format the Personnel Manual instead of HR staff.

Kennedy

- Requested a basic inventory of residential property and apartments in Garner (homes under 100k, 100-200k, number of apartments, etc.). How do you respond to requests without knowing the information?

CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318-11(a)(5)) "to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate."

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

Motion: Kennedy
Second: Marshburn
Vote: 5:0

RETURN TO REGULAR SESSION AND ADJOURNMENT: 8:14 p.m.

Council reported no action taken during the closed sessions.

ADJOURNMENT: 8:15 p.m.

Motion: Behringer
Second: Marshburn
Vote: 5:0

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Town Attorney Retainer Agreement		
Location on Agenda: Consent		
Department: Legal		
Contact: William E. Anderson, Town Attorney		
Presenter: William E. Anderson, Town Attorney		
Brief Summary: The proposed Town Retainer Agreement provides for ongoing legal services to the Town.		
Recommended Motion and/or Requested Action: Consider approving the Town Attorney Retainer Agreement		
Detailed Notes:		
Funding Source: Operating budget		
Cost: \$168,000	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

MEMORANDUM

To: Mayor and Town Council

From: Town Attorney William E. Anderson

Date: July 22, 2019

Re: Town Attorney Services

With all the Town projects going on now, many of which involve roadway and sidewalk easements which require a lot of detailed real estate work, a lot of property owner contact, and a number of eminent domain lawsuits, the Town's recent legal services needs have increased substantially.

The average monthly hours spent on legal services for the Town remained relatively constant at around 50-55 hours per month for a number of years. That was increased to 55-65 hours in the 2012 retainer Agreement. By comparison, the average hours for July 2018 through June 2019 was 95 hours per month.

The current monthly retainer amount of \$10,000 a month was set in early 2019 after recognition of the increase in work, but not fully covering the increased hours. The present agreement was based on roughly 70 hours a month. It was based on anticipating that the Town's legal services needs had spiked and would possibly go down during the next six months. That did not prove to be an accurate estimate. With the Timber Drive easement project ongoing for this month, with a deadline to be completed by the end of the month, July's total will likely end up over 100 hours.

We are therefore proposing a Town Attorney Retainer Agreement which recognizes the increased workload during the last year or so, anticipates that it will remain at that level, but gives the Town a credit if the workload should be reduced during the next six months.

A proposed renewal of the Town Attorney retainer agreement is attached. The proposed agreement is essentially similar to the agreement which has been renewed over many years, but differs from last years' agreement in two particulars:

(1) it contains a clause allowing an early "opt out" for reasons of health, disability, retirement or otherwise, with 90 days notice;

(3) we propose a monthly retainer of \$14,000, based on an average of approximately 93.333 hours at \$150.00 per hour, with a credit to the Town in the event the time requirements drop off below that during the next six months;

(4) the credit would be accomplished by deferring payment for the present 160 "overage" hours and applying any reduction in time spent during the next six months, if that should occur, against the "overage" hours;

(5) if for example, the hourly timekeeping shows a decrease during the next six months, such that it comes out to average, say, 85 hours instead of 93.35, the present total 160 overage hours for which compensation would otherwise be paid, would be reduced by a credit for 50 hours.

We did some research in January 2019 into what some other local towns were paying for legal services. The other area towns and cities are on average paying considerably more per year than Garner for legal services, even after this proposed increase.

NORTH CAROLINA
WAKE COUNTY

EXTENSION OF TOWN ATTORNEY AGREEMENT-FY 2019-20

The parties to this Agreement, being the Town of Garner, a municipal corporation, hereinafter "Town," and the law firm McDANIEL & ANDERSON, L.L.P., hereinafter "Attorneys," hereby agree to the appointment of William E. Anderson as Town Attorney for Fiscal Year 2019-20, to provide various legal services on behalf of the Town, including consultation, research, advice, executive memoranda to Staff and Council, drafting of documents, proposed legislation, proposed ordinances, attendance at Board meetings, providing legal services in connection with Town contracts, real estate acquisition, easement and right-of-way acquisition, land use regulation, including enforcing zoning and nuisance inspections, personnel issues, liability risk management, and representation of the Town in various items of litigation, including prosecution of Town claims by civil action, including enforcement actions, land condemnation, utility assessments, nuisance liens and defending the Town in various civil actions, such work to be rendered based on a retainer of \$14,000 per month, with a credit for unused hours if the work decreases, and other specific arrangements to be made from time to time by mutual consent. This contract is terminable on 90 days' notice for reason of health, disability, retirement or other conditions as may arise.

This the ____ day of August, 2019.

(Town Seal)

Ronnie S. Williams, Mayor

ATTEST:

William E. Anderson, Attorney

Stella Gibson, Town Clerk

This Agreement has been pre-audited in accordance with the applicable government finance laws of the State of North Carolina.

This the ____ day of August, 2019.

Finance Director

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Town Lobbyist Contract		
Location on Agenda: Consent		
Department: Administration		
Contact: Rodney Dickerson		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: The purpose of this Agreement includes representation of the Town regarding issues important to the Town at the North Carolina General Assembly and at other State and local boards and agencies including the Wake County Public School System, NC DOT and the Wake County Commission, developing working relationships with individuals at the North Carolina General Assembly and at other state and local boards and agencies, monitoring the general activities of these agencies, developing a stronger understanding of the manner in which these entities are making decisions, and relaying such information to our Mayor, Town Council, and Town Manager.		
Recommended Motion and/or Requested Action: Consider authorizing Execution of Contract		
Detailed Notes:		
Funding Source: General Fund		
Cost: \$33,000	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: Contract is consistent with previous year.		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

NORTH CAROLINA
WAKE COUNTY

GOVERNMENTAL SERVICES RELATIONS AGREEMENT-FY 2019-20

The parties to this Agreement, being the Town of Garner, a municipal corporation, hereinafter "Town," and the Samuel L. Bridges, hereinafter "Bridges," agree that the Town hereby retains Bridges to provide governmental relations services on behalf of the Town as set forth herein:

The purpose of this Agreement includes representation of the Town regarding issues important to the Town at the North Carolina General Assembly and at other State and local boards and agencies including the Wake County Public School System, NC DOT and the Wake County Commission, developing working relationships with individuals at the North Carolina General Assembly and at other state and local boards and agencies, monitoring the general activities of these agencies, developing a stronger understanding of the manner in which these entities are making decisions, and relaying such information to our Mayor, Town Council, and Town Manager.

Bridges agrees to be present at the North Carolina General Assembly as needed each week that they are in session and to attend general sessions and committee meetings as appropriate and to work with the governmental relations staff of the NC League of Municipalities and to interact with Congressional Representatives as directed by the Town.

Bridges agrees to be present at the monthly CAMPO Executive Board meeting in Raleigh and to attend portions of Garner Town Council meetings as necessary, to attend other state and local board and agency meetings and to contact individuals that serve in all these agencies by phone and in person, as needed, as directed by Town officials.

Bridges shall register as a lobbyist for the Town of Garner with the North Carolina Secretary of State and pay the required registration fee. (Town will pay the fee required of a principal, upon advice from Bridges regarding the payment procedure.) Bridges agrees to provide a monthly statement of services rendered. Town agrees to pay Bridges a monthly retainer of \$2,500.00 for each of the 12 months of the 2019-20 fiscal year for a total compensation of \$30,000.00 for the fiscal year 2019-2020. Town also agrees to reimburse expenses up to an additional \$3,000.00 for the fiscal year 2019-20. The parties will continue to discuss what expenses, if any, might properly be reimbursable in the governmental relations context.

Bridges and Town agree to abide by all statutes, rules and regulations promulgated by the State of North Carolina for lobbying at the General Assembly and at other state and local boards and agencies. To facilitate that agreement, Bridges will continue to inform the Town Manager of all such rules and regulations applicable to a lobbyist and applicable to a principal, including instructions regarding the lobbyist and principal filings and paying fees to the Secretary of State or other agencies. Bridges shall continue to prepare documents necessary for the lobbyist and principal to remain compliant with the regulations promulgated by the NC Secretary of State.

This the ____ day of August, 2019.

(Town Seal)

TOWN OF GARNER

Ronnie S. Williams, Mayor

Samuel L. Bridges

ATTEST:

Stella Gibson, Town Clerk

PRE-AUDIT CERTIFICATE

This Agreement has been pre-audited in conformity with the applicable government finance laws of the State of North Carolina. This the ____ day of August, 2019.

David Beck, Finance Director

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019			
Subject: White Oak, Hebron Church, Ackerman Roundabout			
Location on Agenda: Consent			
Department: Engineering			
Contact: Chris Johnson, PE - Town Engineer			
Presenter: Chris Johnson, PE - Town Engineer			
Brief Summary: Provide Town Council with draft LAPP agreement from NCDOT for right of way and construction cost sharing.			
Recommended Motion and/or Requested Action: Consider authorizing the Town Manager to execute the LAPP agreement and submit back to NCDOT for execution.			
Detailed Notes: Town Council previously approved for an intersection improvement project at the intersection of White Oak Road, Hebron Church Road and Ackerman Road. Several alternatives were analyzed and reviewed in 2018, including public input on the alternatives, which resulted in selection of a roundabout as the selected alternative. Staff also coordinated with CAMPO and NCDOT to obtain a LAPP grant for the future right of way and construction costs associated with the project. The agreement has been finalized by NCDOT and staff is seeking Council's approval on the agreement so the project can move forward into right of way acquisition.			
Funding Source: Street & Sidewalk Bond funds			
Cost: 538,904	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/>	No Cost: <input type="radio"/>
Manager's Comments and Recommendations: 			
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>			
Agenda Form Reviewed by:	Initials:		Comments:
Department Head:	CJ		
Finance Director:			
Town Attorney:			
Town Manager:	RD		
Town Clerk:			

TO: Rodney Dickerson, Town Manager

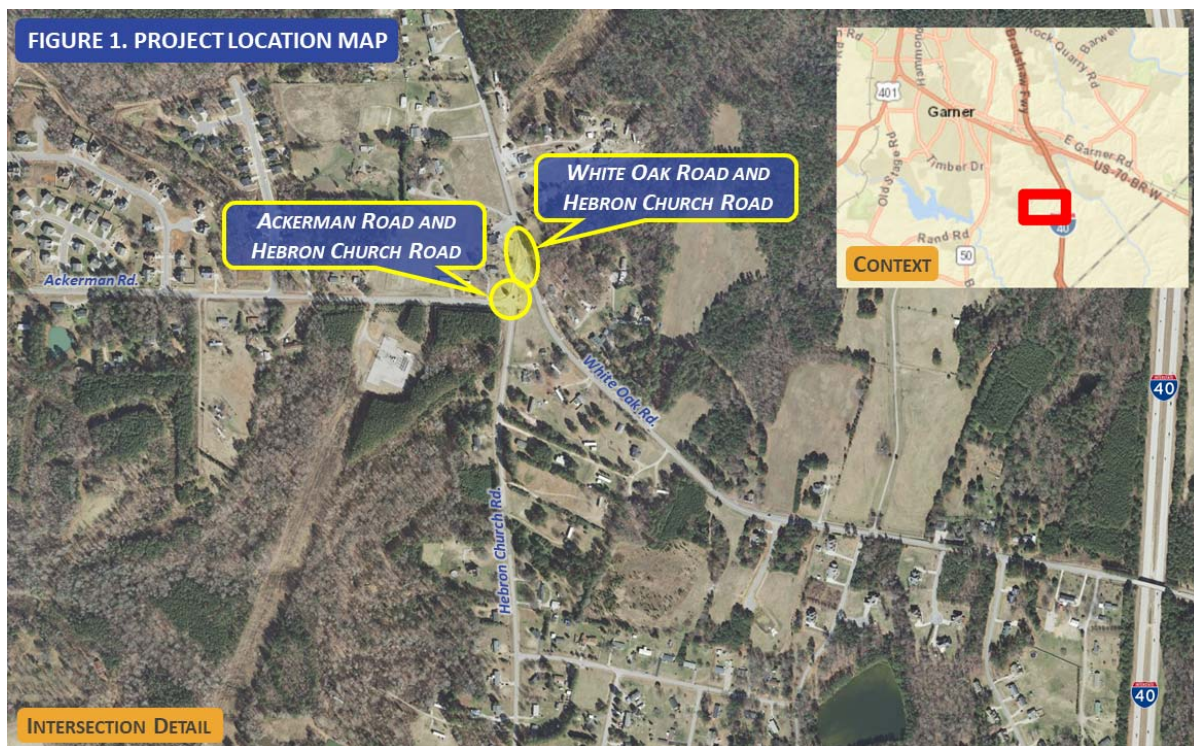
FROM: Chris Johnson, PE – Town Engineer

SUBJECT: *White Oak, Ackerman, Hebron Church Intersection Improvements Project*

DATE: July 25, 2019

BACKGROUND

Town Council previously approved for an intersection improvement project at the intersection of White Oak Road, Hebron Church Road and Ackerman Road (see Figure 1 below). Several alternatives were analyzed and reviewed in 2018, including public input on the alternatives, which resulted in selection of a roundabout as the selected alternative. Following a Request for Qualifications, Arcadis was procured as the design consultant and design plans are currently at 65% completion. Staff also coordinated with CAMPO to obtain a LAPP grant for the future right of way and construction costs associated with the project.



LAPP AGREEMENT

Staff submitted for a LAPP agreement in 2018 with plans for a 75% federal/25% local funding cost share. In June 2019, the LAPP request was made to begin drafting the LAPP agreement. Staff received the draft agreement from NCDOT in July 2019 with the final cost estimates as follows:

LAPP Request (ROW and Construction)	
ROW	\$ 75,000
Construction	\$ 1,585,493
Contingency	\$ 415,123
Construction Management	\$ 80,000
Total	\$ 2,155,616

Total Federal LAPP Request	\$ 1,616,712	75% cost share
Total Local Match	\$ 538,904	25% cost share

The previous design funding was funded by the Town of Garner at \$330,740, which brings the total local funding estimated for this project to a combined total of \$869,644.

RECOMMENDATION AND NEXT STEPS (SUBJECT TO CHANGE BASED ON NCDOT REVIEW)

We are seeking Council's agreement and authorization for the Town Manager to execute the LAPP agreement with NCDOT and move forward with right of way acquisition once funding is secured. The remaining schedule is shown below for reference.

LAPP agreement execution	August 2019
Hold 2 nd Public Meeting	September 2019
R/W Authorization	October 2019
R/W Acquisition	October 2019 – January 2020
R/W Certification	February 2020
Final Design/Permitting	Spring 2020
Construction Authorization	Spring 2020
Advertise for Construction	Summer 2020
Complete Construction	Spring 2021

ATTACHMENTS

LAPP AGREEMENT

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: Town of Garner

County: Wake

TIP: U-6225

Project: White Oak Hebron Church Ackerman Roundabout

Scope: the construction of a roundabout at the intersection of White Oak Road, Hebron Church Road and Ackerman Road in Garner.

Eligible Activities:

PE	<hr/>	Design
		Environmental
ROW	48813.2.1	ROW Acquisition
		Utility Relocation
CON	48813.3.1	Construction
FEDERAL-AID	2700003	

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
BGDA	\$1,616,712	75 %	\$538,904	25 %
Total Estimated Cost		\$2,155,616		

Responsibility: The Town of Garner shall be responsible for all aspects of the project.

NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT -
FEDERAL**

WAKE COUNTY

DATE: 7/10/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: U-6225

AND

WBS Elements: PE _____

ROW 48813.2.1

TOWN OF GARNER

CON 48813.3.1

FEDERAL-AID 2700003

CFDA #: 20.205

Total Funds [NCDOT Participation] \$1,616,712

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Garner, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, Fixing America's Surface Transportation (FAST) Act allows for the allocation of federal funds to be available for certain specified transportation activities; and,

WHEREAS, the Municipality has requested federal funding for White Oak Hebron Church Ackerman Roundabout, hereinafter referred to as the Project, in Wake County, North Carolina; and,

WHEREAS, subject to the availability of federal funds, the Municipality has been designated as a recipient to receive funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of \$1,616,712 for the Project; and,

WHEREAS, the Department has agreed to administer the disbursement of said funds on behalf of FHWA to the Municipality for the Project in accordance with the Project scope of work and in accordance with the provisions set out in this Agreement; and,

WHEREAS, the Department has programmed funding in the approved Transportation Improvement Program for the Project; and,

WHEREAS, the governing board of the Municipality has agreed to participate in certain costs and to assume certain responsibilities in the manner and to the extent as hereinafter set out; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General

Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-71.6, Section 160A-296 and 297, Section 136-18, Section 136-41.3 and Section 20-169, to participate in the planning, construction and/or implementation of the Project approved by the Board of Transportation.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

1. GENERAL PROVISIONS

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a Supplemental Agreement.

LOCAL PUBLIC AGENCY TO PERFORM ALL WORK

The Municipality shall be responsible for administering all work performed and for certifying to the Department that all terms set forth in this Agreement are met and adhered to by the Municipality and/or its contractors and agents. The Department will provide technical oversight to guide the Municipality. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

PERSON IN RESPONSIBLE CHARGE

The Municipality shall designate a person or persons to be in responsible charge of the Project, in accordance with Title 23 of the Code of Federal Regulations, Part 635.105. The person, or persons, shall be expected to:

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
- Maintain knowledge of day to day project operations and safety issues;

- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project in accordance with the project scope and scale;
- Review financial processes, transactions and documentation to reduce the likelihood of fraud, waste, and abuse;
- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Be aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The person in responsible charge must be a full-time employee of the Municipality, but the duties may be split among several employees, if necessary.

COMPLIANCE WITH STATE/FEDERAL POLICY

The Municipality, and/or its agent, including all contractors, subcontractors, or sub-recipients shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures, including the *Local Programs Management Handbook*.

FAILURE TO COMPLY - CONSEQUENCES

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

2. SCOPE OF PROJECT

The Project consists of the construction of a roundabout at the intersection of White Oak Road, Hebron Church Road and Ackerman Road in Garner.

The Department's funding participation in the Project shall be restricted to the following eligible items:

- ROW Acquisition

- Utility Relocation
- Construction

as further set forth in this Agreement.

3. FUNDING

PROGRAMMING AND AUTHORIZATION OF FEDERAL FUNDS

The funding currently programmed for the project in the State Transportation Improvement Program (STIP) is BGDA. The funding source may be modified with the coordination and approval of the respective Metropolitan Planning Organization (MPO) and/or the Department prior to authorization of funds. The Department will authorize and reimburse federal funding based on the type of federal funding that is programmed in the STIP at the time of the authorization request. The Department will notify the Municipality of the type of federal funds authorized by issuing a Technical Amendment – Funds Authorization letter. A modification in the source of funds will have no effect on project responsibilities outlined in this agreement.

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse 75% of eligible expenses incurred by the Municipality up to a maximum amount of One Million Six Hundred Sixteen Thousand Seven Hundred Twelve Dollars (\$1,616,712), as detailed below. The Municipality shall provide the 25% non-federal match, as detailed in the FUNDING TABLE below, and all costs that exceed the total estimated cost.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
BGDA	\$1,616,712	75 %	\$538,904	25 %
Total Estimated Cost		\$2,155,616		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside ten percent (10%) of the total estimated cost, or \$215,561, to use towards the costs related to review

and oversight of this Project, including, but not limited to review and approval of plans, environmental documents, contract proposals, engineering estimates, construction engineering and inspection oversight, and other items as needed to ensure the Municipality's appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all costs of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

4. PERIOD OF PERFORMANCE

The Municipality has five (5) years to complete all work outlined in the Agreement from the date of authorization of Federal funds for the initial phase of work. Completion for this Agreement is defined as completion of all construction activities or implementation activities, acceptance of the project, and submission of a final reimbursement package to the Department.

If additional time is needed to complete the Project, then a supplemental agreement must be executed. The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

5. PRELIMINARY ENGINEERING AUTHORIZATION

If Preliminary Engineering is an eligible expense, then upon receipt of an executed agreement, the Department will authorize Preliminary Engineering funds and shall notify the Municipality, in writing, once funds have been authorized and can be expended. The Municipality shall not initiate any work, nor solicit for any professional services prior to receipt of written authorization from the Department to proceed. Any work performed, or contracts executed, prior to receipt of written authorization to proceed will be ineligible for reimbursement.

6. PROFESSIONAL AND ENGINEERING SERVICES

The Municipality shall comply with the policies and procedures of this provision if the Municipality is requesting reimbursement for the Preliminary Engineering contract or the Construction Contract Administration / Construction Engineering and Inspection contract.

PROCUREMENT POLICY

When procuring professional services, the Municipality must adhere to Title 2 Code of Federal Regulations Part 200; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-1104; NCGS 143-64, Parts 31 and 32; and the Department's *Policies and Procedures for Major Professional or Specialized Services Contracts*. Said policies and standards are incorporated in this Agreement by reference at www.fhwa.dot.gov/legsregs/legislat.html and www.ncleg.net/gascripts/Statutes/Statutes.asp.

- The Municipality shall ensure that a qualified firm is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner and at a just and reasonable cost.
- All Professional Services Firms shall be pre-qualified by the Department in the Work Codes advertised.
- A pre-negotiation audit will be conducted by the Department's External Audit Branch. The Municipality shall not execute a consultant contract until the Department's review has been completed.

SMALL PROFESSIONAL AND ENGINEERING SERVICES FIRMS REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the North Carolina Board of Transportation.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

WORK BY ENTITY

If the Design, Planning, Contract Administration and/or Construction Engineering and Inspection required for this project will be undertaken by the Municipality, and the Municipality requests reimbursement, then the Municipality must submit a request and supporting documentation to the Department for review and approval, prior to any work being initiated by the Municipality.

7. PLANNING / ENVIRONMENTAL DOCUMENTATION

The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the Project, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and guidelines. Said documentation shall be submitted to the Department for review and approval.

- The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department.
- The Municipality shall advertise and conduct any required public hearings.
- If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.
- The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp and obtaining those permits required thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.

8. DESIGN

CONTENT OF PLAN PACKAGE

The Municipality, and/or its agent, shall prepare the Project's plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

9. RIGHT OF WAY / UTILITY AUTHORIZATION

If the costs of right of way acquisition or utility relocation are an eligible expense, the Municipality shall submit a letter of request to the Department to authorize and set up right of way and/or utility funding. The acquisition for right of way, construction easements, and/or utility relocation may be undertaken only after the Municipality receives written authorization from the Department to proceed.

10. PROJECT LIMITS AND RIGHT OF WAY (ROW)

The Municipality shall comply with the policies and procedures of this provision regardless of whether the Municipality is requesting reimbursement for the Right of Way phase of the Project.

SPONSOR PROVIDES ROW

The Municipality, at no liability whatsoever to the Department, shall be responsible for providing and/or acquiring any required ROW and/or easements for the Project.

ROW GUIDANCE

The Municipality shall accomplish all ROW activities, including acquisition and relocation, in accordance with the following: Title 23 of the Code of Federal Regulations, Part 710, Subpart B and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; NCGS, Chapter 133, Article 2, Sections 133-5 through 133-18, Relocation Assistance, incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp; and the North Carolina Department of Transportation Right of Way Manual.

APPRAISAL

The Municipality shall submit the appraisal to the Department for review and approval in accordance with Departmental policies and procedures.

CLEARANCE OF PROJECT LIMITS / ROW

The Municipality shall remove and dispose of all obstructions and encroachments of any kind or character (including hazardous and contaminated materials) from said ROW, with the exception that the Municipality shall secure an encroachment agreement for any utilities (which shall remain

or are) to be installed within the Department's ROW, or follow other applicable approval process, for utilities within the Municipality's ROW. The Municipality shall indemnify and save harmless the Department, Federal Highway Administration, and the State of North Carolina, from any and all damages and claims for damages that might arise on account of said right of way acquisition, drainage, and construction easements for the construction of said Project. The Municipality shall be solely responsible for any damages caused by the existence of said material now and at any time in the future and will save the Department harmless from any legal actions arising as a result of this contaminated and/or hazardous material and shall provide the Department with documentation proving the proper disposal of said material.

RELOCATION ASSISTANCE

The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the Project in full accordance with the Federal relocation requirements of Title 49 Code of Federal Regulations, Part 24 [Uniform Act], as amended. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and Federal Highway Administration.

11. UTILITIES

The Municipality, and/or its agent, at no liability to the Department, shall relocate, adjust, relay, change or repair all utilities in conflict with the Project, regardless of ownership. All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules and regulations, prior to Municipality beginning construction of the project. This Agreement does not modify or supersede any existing Utility Encroachment Agreements that may be in place.

12. RIGHT OF WAY / UTILITY / RAILROAD CERTIFICATION

The Municipality, upon acquisition of all right of way/property necessary for the Project, relocation of utilities, and coordination with the railroad shall provide the Department all required documentation (deeds/leases/easement/plans/agreements) to secure certification. Certification is only issued after all ROW is in public ownership or property is publicly accessible by a legal document; utilities in conflict with the project are relocated, or a plan for their relocation during construction has been approved; and coordination with the railroad (if applicable) has occurred and been documented.

13. CONTRACT PROPOSAL AND ENGINEER'S ESTIMATE

CONTRACT PROPOSAL

The Municipality shall develop a contract proposal that will be advertised for bids. The proposal shall comply with NCDOT Specifications and Standard Drawings as applicable to the Project. The proposal shall also contain provisions, as applicable, per Title 23 Code of Federal Regulations 633 and 635 to include, but not be limited to: FHWA 1273, Buy America, Davis-Bacon Wage Rates, Non-discrimination, DBE Assurances, Contractor Certification regarding suspension and debarment, and other provisions as required by the Department.

ENGINEER'S ESTIMATE

The Municipality shall develop an itemized engineer's estimate to show items referenced to the NCDOT Standard Specifications, if applicable, along with units and unit price. The engineer's estimate will be used as the basis for comparing bids received.

14. CONSTRUCTION AUTHORIZATION

The Municipality shall submit the required environmental and/or planning document, ROW certification, final construction plans, total contract proposal, and an estimate of Project costs (final PS&E package) to the Department for review and approval.

- After approval of all documentation, the Department will request construction authorization from the Federal Highway Administration.
- The Municipality shall not advertise for bids prior to receiving written construction authorization from the Department.

15. CONTRACTOR PROCUREMENT

ADVERTISE FOR BIDS

Upon receipt of written construction authorization from the Department, the Municipality may advertise the Project. The Municipality shall follow applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 2 of the Code of Federal Regulations, Part 200 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, incorporated by reference at

www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; and NCGS, Chapter 143, Article 8 (Public Contracts), incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp.

CONSTRUCTION CONTRACTOR REQUIREMENTS

All Contractors submitting bids on the project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

CONSTRUCTION SUBCONTRACTOR REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference

<https://connect.ncdot.gov/projects/Contracts/Pages/LGA-Projects.aspx>.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

AWARDING CONTRACT

After the advertisement of the Project for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

DELAY IN PROCUREMENT

In the event the Project has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be responsible for

documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.

FORCE ACCOUNT

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference www.fhwa.dot.gov/legsregs/directives/cfr23toc.htm. North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at www.ncleg.net/gascripts/Statutes/Statutes.asp.

16. CONSTRUCTION

The Municipality, and/or its agents shall construct the Project in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

CONSTRUCTION CONTRACT ADMINISTRATION

The Municipality shall comply with the NCDOT Construction Manual as referenced at <http://www.ncdot.org/doh/operations/dp%5Fchief%5Feng/constructionunit/formsmanuals/construction/>, which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities, project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

RETAINAGE

The Municipality shall not retain any portion of a payment due the contractor.

SIGNAGE

The Municipality shall provide and maintain adequate signage and other warning devices for the protection of the public in accordance with the approved traffic control plans for the Project and the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

SITE LAYOUT

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design (www.usdoj.gov/crt/ada/stdspdf.htm).

RIGHT TO INSPECT

The Department and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this Agreement. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected.

CONTRACTOR COMPLIANCE

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

SHOP DRAWINGS

Shop Drawings shall be submitted in accordance with the approved plans and specifications and may require review by the Designer.

17. CLOSE-OUT

Upon completion of the Project, the Municipality shall be responsible for the following:

FINAL INSPECTION

The Municipality shall arrange for a final inspection by the Department. Any deficiencies determined during the final field inspection must be corrected prior to final payment being made by the Department to the Municipality. Additional inspection by other entities may be necessary in accordance with the Department's guidelines and procedures. The Municipality shall provide the Department with written evidence of approval of completed project prior to requesting final reimbursement.

FINAL PROJECT CERTIFICATION

The Municipality will provide a certification to the Department that all work performed for this Project is in accordance with all applicable standards, guidelines, and regulations.

18. MAINTENANCE

The Municipality, at no expense or liability to the Department, shall assume all maintenance responsibilities for the White Oak Hebron Church Ackerman Roundabout, or as required by an executed encroachment agreement.

19. REIMBURSEMENT

SCOPE OF REIMBURSEMENT

Activities eligible for funding reimbursement for this Project shall include:

- ROW Acquisition
- Utility Relocation
- Construction

REIMBURSEMENT GUIDANCE

The Municipality shall adhere to applicable administrative requirements of Title 2 Code of Federal Regulations, Part 200 (www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm. Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

REIMBURSEMENT LIMITS

▪ WORK PERFORMED BEFORE NOTIFICATION

Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

▪ NO REIMBURSEMENT IN EXCESS OF APPROVED FUNDING

At no time shall the Department reimburse the Municipality costs that exceed the total funding per this Agreement and any Supplemental Agreements.

▪ UNSUBSTANTIATED COSTS

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

▪ WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, shall reduce the maximum award amount of \$1,616,712 available to the Municipality under this Agreement. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

- **CONSTRUCTION ADMINISTRATION**

Reimbursement for construction contract administration will be made as governed by Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the Project. These costs will also include any cost overruns and charges to the Project by the Department during the Construction Phase.

- **CONSTRUCTION CONTRACT UNIT PRICES**

Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **RIGHT OF WAY**

Reimbursement will be limited to the value as approved by the Department. Eligible costs for reimbursement of Right of Way Acquisition include: realty appraisals, surveys, closing costs, and the agreed upon just compensation for the property, at the reimbursement rate as shown in the FUNDING TABLE.

- **FORCE ACCOUNT**

Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in 2 CFR 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the Municipality or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.

BILLING THE DEPARTMENT

- **PROCEDURE**

The Municipality may bill the Department for eligible Project costs in accordance with the Department's guidelines and procedures. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable state and federal laws and regulations as set forth in this Agreement.

Along with each invoice, the Municipality is responsible for submitting the FFATA Subrecipient Information Form, which is available at <https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx>.

- **INTERNAL APPROVALS**

Reimbursement to the Municipality shall be made upon approval of the invoice by the Department's Financial Management Division.

- **TIMELY SUBMITTAL OF INVOICES**

The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

All invoices associated with the Project must be submitted within six (6) months of the completion of construction and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

20. REPORTING REQUIREMENTS AND RECORDS RETENTION

PROJECT EVALUATION REPORTS

The Municipality is responsible for submitting quarterly Project evaluation reports, in accordance with the Department's guidelines and procedures, that detail the progress achieved to date for the Project.

PROJECT RECORDS

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Project records and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the Federal Highway Administration, for inspection and audit by the Department's Financial

Management Section, the Federal Highway Administration, or any authorized representatives of the Federal Government.

21. OTHER PROVISIONS

REFERENCES

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this Agreement.

INDEMNIFICATION OF DEPARTMENT

The Municipality agrees to indemnify and hold harmless the Department, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Project. The Department shall not be responsible for any damages or claims, which may be initiated by third parties.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

TITLE VI - CIVIL RIGHTS ACT OF 1964

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

OTHER AGREEMENTS

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for the funds and obligations as approved by the Department under the terms of this Agreement.

AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IMPROPER USE OF FUNDS

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

TERMINATION OF PROJECT

If the Municipality decides to terminate the Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project.

AUDITS

In accordance with 2 CFR 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," Subpart F – Audit Requirements, and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

REIMBURSEMENT BY MUNICIPALITY

For all monies due the Department as referenced in this Agreement, reimbursement shall be made by the Municipality to the Department within sixty (60) days of receiving an invoice. A late

payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS 147-86.23.

USE OF POWELL BILL FUNDS

If the other party to this agreement is a Municipality and fails for any reason to reimburse the Department in accordance with the provisions for payment hereinabove provided, NCGS 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to Municipality by NCGS 136-41.1, until such time as the Department has received payment in full.

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

AUTHORIZATION TO EXECUTE

The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

FACSIMILE SIGNATURES

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military

and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

22. SUNSET PROVISION

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

TOWN OF GARNER

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by the Town of Garner as attested to by the signature of _____
on _____(Date)

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

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Town of Garner

Remittance Address:

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____(Date)

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Ordinance Amending FY 2019/2020 Operating Budget		
Location on Agenda: Consent		
Department: Finance		
Contact: David Beck, Finance Director		
Presenter: David Beck, Finance Director		
Brief Summary: The police department has been awarded a grant through the Governor's Crime Commission. The grant will be used to purchase mobile field force equipment. The grant does not require a local match.		
Recommended Motion and/or Requested Action: Consider adopting budget amendment ordinance (2019) 3990		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

FINANCE DEPARTMENT MEMORANDUM

TO: RODNEY DICKERSON, TOWN MANAGER
FROM: DAVID BECK, FINANCE DIRECTOR
SUBJECT: BUDGET AMENDMENT – POLICE GRANT
DATE: AUGUST 5, 2019

The Police Department has received a grant in the amount of \$21,524 to replace mobile field force equipment. This grant does not require matching funding. As a result, a net \$0 adjustment is required to account for the additional revenue and expenditures.

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

ORDINANCE NO. (2019) 3990

ORDINANCE AMENDING ORDINANCE NO. (2019) 3982
WHICH ESTABLISHED THE FY 2019 – 2020 OPERATING BUDGET

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

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

General Fund Budget Changes:

Department/ Category	Description	Current	Amended	Net Change
<i>Expenditures</i>				
10511000-527400	Equipment	\$0	\$21,524	+\$21,524
<i>Revenues</i>				
10302000-411074	Police Equipment Grant - GCC	\$0	\$21,524	+\$21,524

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 5th day of August, 2019.

Ronnie S. Williams, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: ANX-19-05, Winston Property		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary: Contiguous annexation petition submitted by Melody Winston for 3.9 +/- acres located at 704 Maxwell Drive, also identified as Wake County PIN# 1701-44-1775.		
Recommended Motion and/or Requested Action: Consider adopting annexation ordinance (2019)3987		
Detailed Notes: This annexation petition is related to a request to connect to public water. Water connection fees were paid on 5/20/2019.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Planning Department**

**Annexation
ANX 19-05**

0 300 600
Feet



Project: 704 Maxwell Drive
Owner: Melody Winston
Area: 4.15 Total (3.9 Acres Site; 0.25 Acres Right of Way)
Pin: 1701441775

Planning Department Memorandum

TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager

SUBJECT: ***ANX-19-05: Winston Property***

DATE: August 5, 2019

ANNEXATION APPLICATION: ANX 19-05

OWNERS: Melody Winston

CONTIGUOUS / SATELLITE: Contiguous

LOCATION OF PROPERTY: 704 Maxwell Drive

WAKE COUNTY PIN #: 1701441775

REAL ESTATE ID #: 0113321

AREA: 4.15 +/- acres – includes ~ 0.25 +/- acres of intervening public right-of-way

ZONING: Single-Family Residential (R-9)

ASSOCIATED DEVELOPMENT PLAN: None. Property owner is requesting to connect to public water on Maxwell Drive; per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service. Water connection fees were paid on 5/20/2019.

RECOMMENDATION: Adopt annexation ordinance

KEY DATES:

SET PUBLIC HEARING: July 1, 2019

PUBLIC HEARING: August 5, 2019

ANNEXATION EFFECTIVE: August 5, 2019

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

ORDINANCE NO. (2019) 3987

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

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

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition, and a public hearing on the question of this annexation was held at the Town Hall at 7:00 p.m. on August 5, 2019, after due notice by publication in the *News & Observer* on July 19, 2019; and

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Garner as of August 5, 2019.

(ANX-19-05) Winston Property - Contiguous annexation

Wake County PIN #: 1701441775; Real Estate ID 0113321; 3.9 +/- acres recorded in Deed Book 016812 and Page 00123; also including approximately 0.25 +/- acres within the Maxwell Drive right-of-way, totaling 4.15 +/- acres.

Section 2. Upon and after the 5th day of August, 2019, the above described territory and

its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Adopted this 5th day of August, 2019.

Ronnie S. Williams, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: ANX-19-06, Blackwell Property		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary: Satellite annexation petition submitted by Patricia Blackwell for 2.1 +/- acres located at 2117 Clifford Road, also identified as Wake County PIN# 1629-45-3205.		
Recommended Motion and/or Requested Action: Consider adopting annexation ordinance (2019)3988		
Detailed Notes: This annexation petition is related to a request to connect to both public water & sewer. Water & sewer connection fees were paid on 7/10/2019.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Planning Department**

**Annexation
ANX 19-06**

0 300 600
Feet



Project: 2117 Clifford Road
Owner: Patricia Blackwell
Area: 2.1
Pin: 1629453205

Planning Department Memorandum

TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager

SUBJECT: ***ANX-19-06, Blackwell Property***

DATE: August 5, 2019

ANNEXATION APPLICATION: ANX 19-06

OWNERS: Patricia Blackwell

CONTIGUOUS / SATELLITE: Satellite

LOCATION OF PROPERTY: 2117 Clifford Road

WAKE COUNTY PIN #: 1629453205

REAL ESTATE ID #: 0256559

AREA: 2.1 +/- acres

ZONING: Single-Family Residential (R-40)

ASSOCIATED DEVELOPMENT PLAN: None. Property owner is requesting to connect to **both** public water and sewer on Clifford Road; per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service. Water & sewer connection fees were paid on 7/10/2019.

RECOMMENDATION: Adopt annexation ordinance

KEY DATES:

SET PUBLIC HEARING: July 1, 2019

PUBLIC HEARING: August 5, 2019

ANNEXATION EFFECTIVE: August 5, 2019

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

ORDINANCE NO. (2019) 3988

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

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

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

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 900 7th Avenue in the Town of Garner Town Hall at 7:00 PM on August 5, 2019, after due notice by the *News & Observer* on July 19, 2019, and

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

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Garner;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Garner;
- c. The area described is so situated that the Town of Garner will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

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

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Garner and of the area proposed for annexation will be best served by annexing the area described;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Garner as of August 5, 2019.

(ANX 19-06) Blackwell Property – Satellite annexation

Wake County PIN #: 1629453205; Real Estate ID 0256559; 2.131 +/- acres
recorded in Deed Book 008316 and Page 00297.

Section 2. Upon and after August 5, 2019, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Adopted this 5th day of August, 2019.

Ronnie S. Williams, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: CUD-Z-19-03 & CUP-SB-19-01, Kennedy Ridge		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager & Jeff Triezenberg, AICP, GISP; Planning Director		
<p>Brief Summary:</p> <p>Conditional rezoning (CUD-Z-19-03) with associated site plan (CUP-SB-19-01) request submitted by Dan Ryan Builders to rezone 16.2 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family Residential (MF-1 C216) conditional use and to develop 64 townhome units. The site is located on Creech Road and may be further identified as Wake County PINs# 1711-76-8003 & 1711-75-1835.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Consider adoption of Ordinance (2019) 3989.</p>		
<p>Detailed Notes:</p> <p>See attached vicinity map and staff report. A neighborhood meeting was required by ordinance and was held on May 9, 2019. Use restrictions and site plan characteristic features are proposed as conditions. Staff finds CUP-SB-19-01 in conformity with the UDO and recommends approval of CUD-Z-19-03.</p>		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Planning Department Staff Report

TO: Mayor and Town Council Members

FROM: Jeff Triezenberg AICP; Planning Director
David Bamford, AICP; Planning Services Manager

SUBJECT: *Conditional Use Rezoning # CUD-Z-19-03, and
Conditional Use Subdivision # CUP-SB-19-01 – Kennedy Ridge*

DATE: August 5, 2019

I. PROJECT AT A GLANCE

Project Number(s):	CUD-Z-19-03 Conditional Use Rezoning CUP-SB-19-01 Conditional Use Subdivision
Applicant:	Dan Ryan Builders
Owners:	John Bosch Jr Revocable Trust and Charles & Yolanda Chappell
General Description -	
Project Area & Location:	16.2 +/- acres located on the west side of Creech Road
Wake Count PIN(s):	1711-76-8003 & 1711-75-1835
Current Zoning:	Single-Family Residential (R-40)
Requested Zoning:	Multifamily 1 Conditional Use (MF-1 C216)
Proposed Use(s):	Townhomes (64 units at 5.57 units per acre)
Overlay:	None
Key Meeting Dates:	
Planning Commission:	July 15, 2019
Public Hearing & Action:	August 5, 2019

II. BACKGROUND / REQUEST SUMMARY

The rezoning (CUD-Z-19-03) and associated subdivision plan (CUP-SB-19-01) have been submitted to develop the site into a multi-family townhome subdivision of 64 units/lots. The applicant is requesting to rezone 16.2 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family 1 Conditional Use (MF-1 C216). Use restrictions and subdivision characteristic features are proposed as conditions.



III. ZONING ANALYSIS

Existing: The existing zoning of the site is **Single-Family Residential (R-40)**. Residential districts are designed to create and maintain residential neighborhoods composed primarily of single-family dwellings and, as special uses, such institutional, public, and other compatible uses that are designed, constructed and maintained so as not to detract from the quality of each district. The R-40 district allows single-family lots of at least 40,000 square feet (0.91 acres). Gross maximum density is approximately 1.08 units per acre in R-40 districts which translates into approximately 12 dwelling units on the 16.2-acre rezoning site, including open space and roads.

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

- | | |
|---|---------------------------|
| 1. Single-family site built and modular homes | 4. Family Care home |
| 2. Residential Cluster | 5. Group care home |
| 3. Manufactured Class A homes | 6. Intermediate care home |
| | 7. Community center |

- | | |
|--|---|
| 8. Civic Lodge | 15. Religious institutions |
| 9. Child day care up to 3 as home occupation | 16. Minor utility—elevated water tank |
| 10. Family child day care up to 8 in home | 17. Solar Farms |
| 11. School public or private | 18. Telecommunications Tower |
| 12. Public safety facilities (fire, police, rescue, ambulance) | 19. Other Major Utility |
| 13. Cemetery | 20. Private golf course or country club |
| 14. Public parks, swimming pools, tennis and golf courses | 21. Horse Stables |
| | 22. Bed and breakfast |
| | 23. Agriculture or silviculture |

Proposed: The proposed zoning of the 16.2-acre site is **Multifamily 1 Conditional Use (MF-1 C216)**. The MF-1 zoning district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings. The MF-1 District allows approximately 9.35 units per acre. The proposed townhome density for this project is 5.57 dwelling units per acre.

The following is a list of general uses permitted in the MF-1 District, but will only be conditionally permitted as noted in the proposed conditions following this list:

- | | |
|--|---|
| 1. Residential Cluster | 13. Ambulance Service, Police or Fire Station (SUP) |
| 2. Two-Family Dwelling | 14. Continuing Care, Retirement Facility (SUP) |
| 3. Townhouse | 15. Hospice |
| 4. Condominium | 16. Cemetery |
| 5. Multifamily (triplex and higher, including apartment) | 17. Public Park, Swimming Pool, Tennis Court, Golf Course (SUP) |
| 6. Family Care Home | 18. Religious Institution |
| 7. Group Care Home | 19. Minor Utility, Elevated Water Storage Tank |
| 8. Intermediate Care Home | 20. Golf Course or Country Club, Private (SUP) |
| 9. Community Center (SUP) | 21. Bed and Breakfast (SUP) |
| 10. Other Community Service (SUP) | |
| 11. Child Day Care (up to 3 as home occupation) | |
| 12. School, Public or Private (SUP) | |

The following conditions are proposed:

1. Permitted use table:

Use Category	Specific Use	MF-1 C216
Household Living	Townhouse	P*

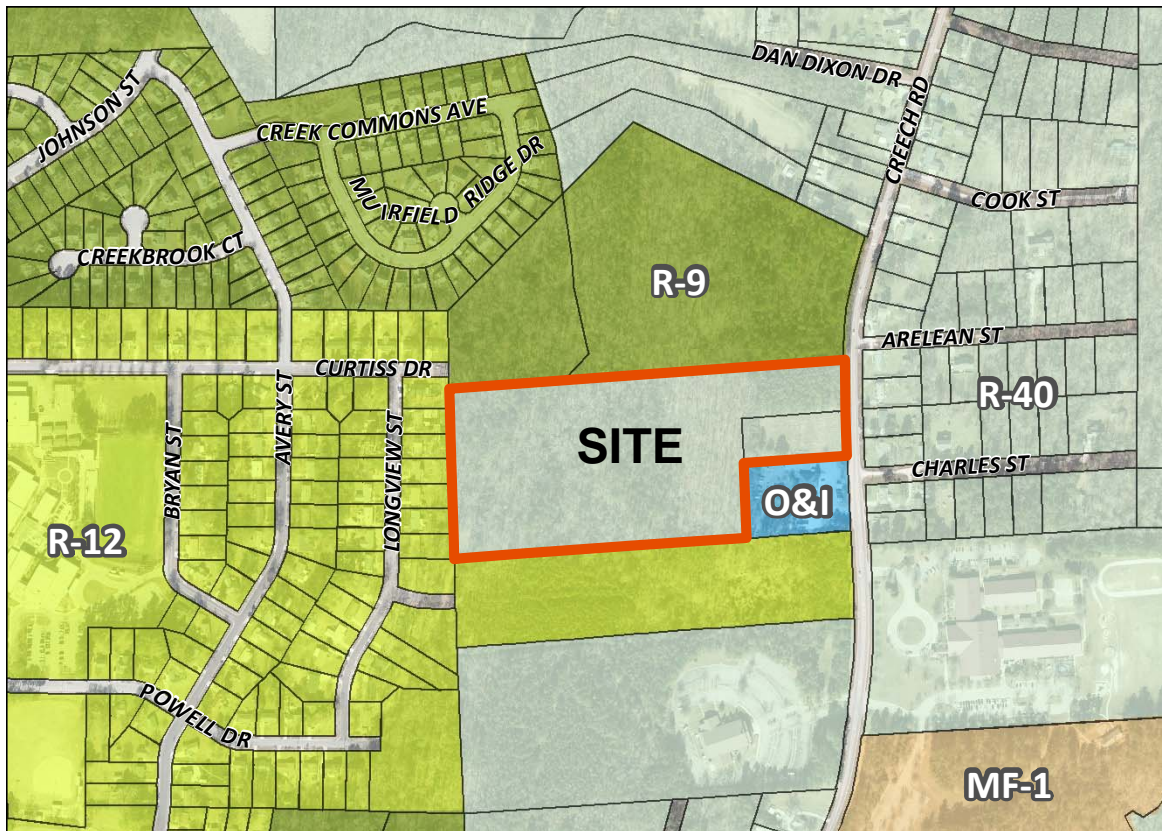
2. Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.
3. For aesthetic appeal & to prevent "mass" or "bulk" roofing, articulation or step/stagger of at least 6" between each unit will be provided.
4. Each dwelling unit shall have an enclosed or covered front porch with a minimum of 30 square feet.
5. Each dwelling unit shall have a garage for at least one (1) car.
6. Each dwelling unit shall contain a minimum of 1,450 square feet of heated gross floor area.
7. Each Townhouse Group (which is defined as a building containing 4-6 Townhouse Units) shall include at least two (2) of the following siding types on the front facade: (a) board and batten; (b) horizontal lap siding; and/or (c) shake siding.
8. If vinyl siding is used, it shall have a minimum gauge of .045.
9. A majority of the units in a townhouse group will have some masonry treatment (example: 3 out of 4, 4 out of 5, or 5 out of 6).

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

Case	Applicant	Location	Zoning Change
CUD-Z-91-02	Robert Creech	Avery Park	R-40 to R-9 C35
CUD-Z-93-03	Chappell's Funeral Home	555 Creech Road	R-40 to O&I C42
CUD-Z-01-06	Twinship Development	Avery Park Phase 3	R-40 to R-9 C109
Z-04-03	Joseph Grissom	Inverness Subdivision 701 Creech Road	MF-1 and R-40 to R-9

Adjacent Zoning and Land Use:

North:	Single-Family Residential 9 (R-9)	Ashton Forest Subdivision approved
South:	Single-Family Residential 12 (R-12)	Vacant/wooded land
East:	Single-Family Residential 40 (R-40)	Single-family residential
West:	Single-Family Residential 12 (R-12)	Single-family residential



IV. COMMUNITY INFORMATION

Overall Neighborhood Character:

This area along Creech Road contains mixed uses including a school, a funeral home, a church, single-family homes, and large vacant tracts. This area of Garner has not seen a lot of development activity, and this is likely due to the limited availability of public sewer to the area. Sewer is generally available in certain areas along the west side of Creech Road while it is not available along the east side. There are now development pressures along Creech Road. The most recent approval in this area was Ashton Forest (35 single-family lots).

Traffic: According to NCDOT traffic count data, Creech Road has had the following annual average daily trips (AADT):

- | | | | |
|-------------|-------|-------------|-------|
| • Year 2003 | 5,300 | • Year 2007 | 5,000 |
| • Year 2005 | 4,700 | • Year 2009 | 4,900 |

- Year 2011 N/A
- Year 2013 4,500

- Year 2015 4,500
- Year 2017 4,700

Neighborhood Meeting: A neighborhood meeting was held on May 9, 2019 with approximately 19 in attendance. The summary notes are attached. Some of the questions raised by the neighbors included: traffic, connectivity to surrounding neighborhoods, the environment & wildlife, townhomes as a new use to the area, buffers, and proposed road improvements.

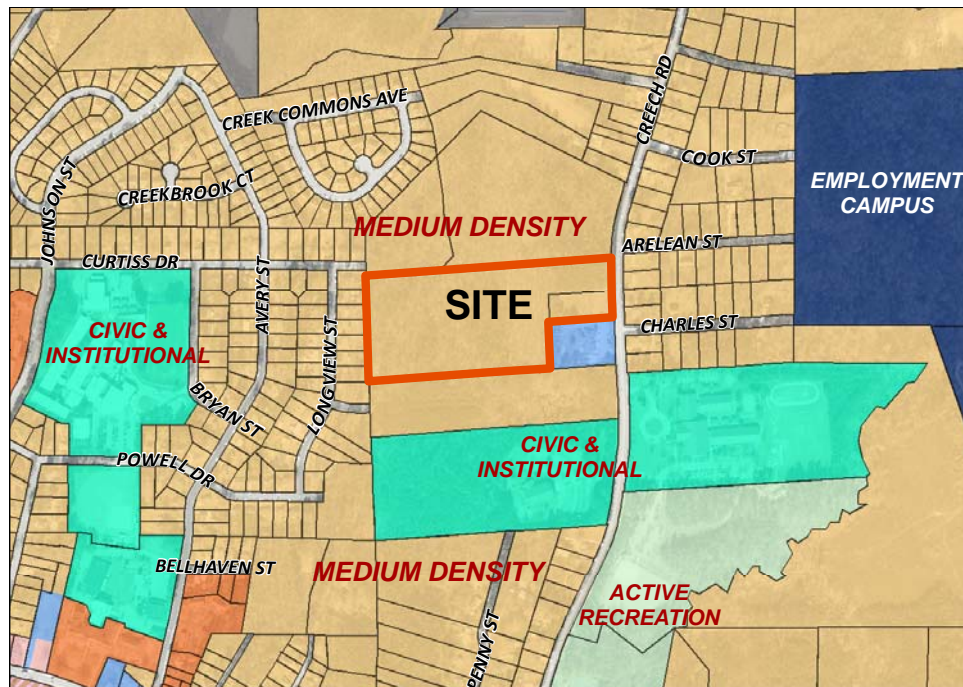
V. ANALYSIS AND STATEMENT OF ZONING CONSISTENCY WITH THE COMPREHENSIVE PLAN

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

Land Use:

On the current Future Land Use map, this site is designated as **Medium-Density Residential (MDR)**. The predominant designation in this area is also MDR.

The **Medium-Density Residential** land use category includes single-family, duplex, triplex, quadplex, and townhome-style residences with no less than two and a half (2.5) nor more than five (5) units per acre. Medium-Density Residential structures may also include auxiliary units detached from the primary house. The MDR district encourages context sensitive residential uses that preserve and enhance the culture of adjacent residential communities.



Living Spaces:

The **Housing and Living Arrangements** guiding principles and recommendations are highlighted below. Staff has identified those principles and recommendations that the proposed development supports.

Guiding Principles:		Plan Applicability
	Attract young and old populations	Yes
	Use design and location to create good multi-family places	n/a
	Refocus on our centers, including downtown and North Garner	n/a
	Anticipate redevelopment surge	Yes
Recommendations:		Plan Applicability
	Improve design outcomes with form-based code	n/a
	Establish community forums	n/a
	Promote multi-family housing in select areas	n/a
	Preserve and protect Garner's existing housing stock	Yes
	Affordable housing (Townhome option)	Yes

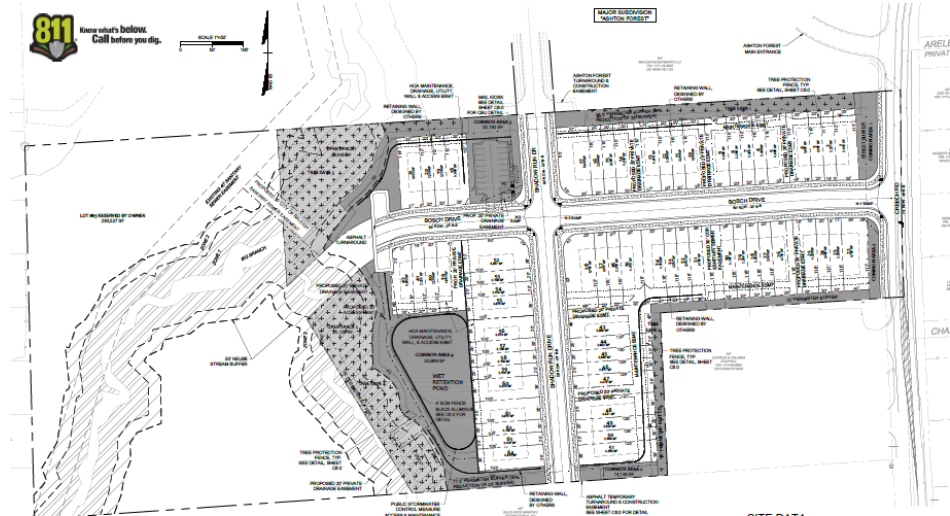
Zoning Consistency Statement: In summary, the requested rezoning from R-40 to MF-1 C216 is consistent with the 2018 *Garner Forward Comprehensive Plan's* guiding principles and recommendations of the living spaces section of the plan; however, it is NOT consistent with the density limit of 5 units per acre in the **Medium Density (MDR)** category. Townhomes are a compatible use in the current MDR designation. The only conflict with the Plan is the specific density, not the proposed use. Staff believes that the proposed townhome development at a density of 5.57 dwelling units per acre is negligibly above what the MDR category suggests, and that this is a reasonable request.

Although this request for a Multi-Family 1 Conditional Use (MF-1 C216) zoning district is technically inconsistent with the *Garner Forward Comprehensive Plan* and thus requires a plan amendment to reclassify the site from Medium Density (MDR) to **High Density Residential (HDR)**, the spirit and intent of the plan is preserved in that the HDR classification still only recommends single-family or townhomes uses while apartments are still excluded.

VI. SUBDIVISION PROJECT DATA

Acreage: Total project acreage is 16.499 with 11.49 to be developed at this time.

Number of Lots: 64



Dimensional Requirements: There are no square footage requirements for townhomes as density is controlled by district regulations. There is a minimum lot width of 18 feet. The plan shows a minimum lot width of 20 feet.

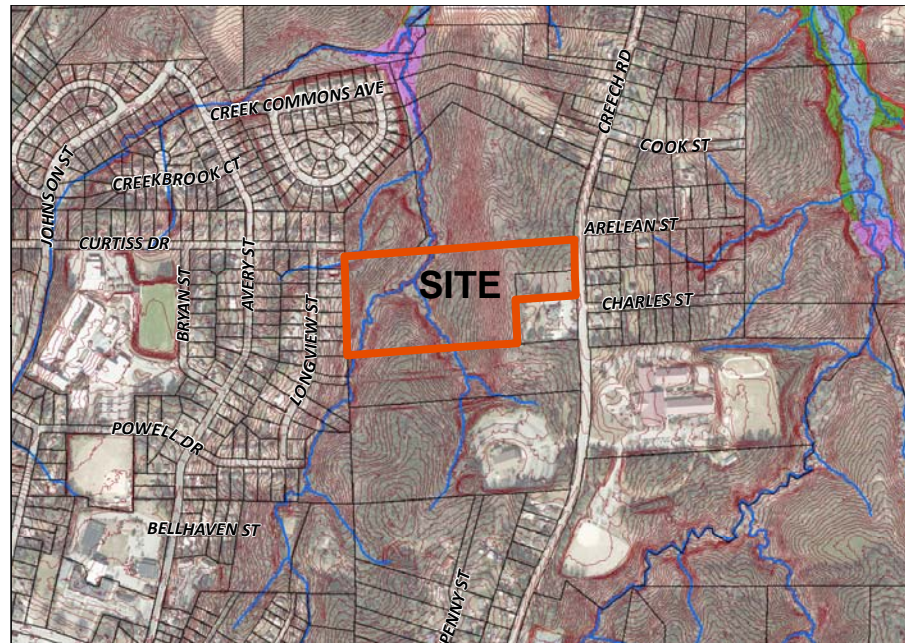
Setbacks are shown in conformance on the plan. Setbacks are as follows – Front, 25 feet; Rear, 25 Feet; Corner Side, 25 feet; Side, 15 feet. Internal side setbacks (building separations) are shown in conformance at 30 feet separation between buildings.

Landscape and Buffer Requirements: The plan as proposed meets the requirements of the Landscape Ordinance.

- **Tree Cover:** Requirement of 12% is met with existing plant material. Plan shows 13.07% of the 11.49 acres to be developed at this time.
- **Street Buffers:** Required street trees are provided as required.

Lighting: Proposed lighting for the mail kiosk and parking area meets the requirements of the Lighting Ordinance as well as meeting staff recommendations for LED fixtures. All fixtures have zero upright, low glare and a warm white light exhibiting a color temperature of no more than 4,000 K (Kelvin). Street lighting will be evaluated by the Engineering Department during the construction drawing phase.

Environmental Features: This site does not contain a FEMA designated floodplain. There are however riparian buffers, and these are shown on the site plan.



Parks and Open Space:

Open Space –

- Required: 10% (1.15 acres)
- Proposed: 10.36% (1.19 acres)

Open space to be owned and maintained by the homeowner's association for the subdivision.

Fire Protection:

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

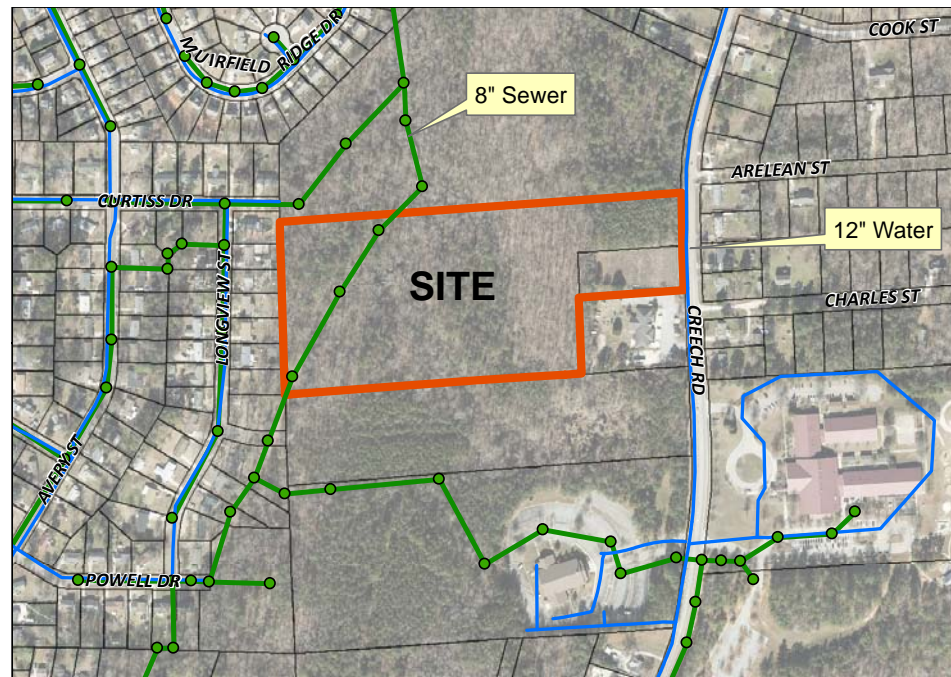
Infrastructure:

Stormwater Management – Kennedy Ridge Subdivision is a proposed townhome/multi-family development off Creech Road north of Garner Road. It is not located within the watershed protection area. This site is subject to water quality requirements for nitrogen and water quantity requirements for the 1, 10, and 25-year storm events.

This developed plan will exceed the 10 pounds per acre threshold for nitrogen loading rate. A wet retention pond stormwater control measure will treat a portion of the nitrogen export and will provide peak flow reduction for the 1, 10, and 25-year storm events.

Additionally, a nitrogen offset buydown will be required with the development of this commercial site.

Water/Sewer – The site will be served with City of Raleigh public water and sewer. There is a 12" water line along Creech Road and an 8" sewer main running through the site along a creek.



Access – The site has approximately 350 feet of road frontage on Creech Road. In this area, Creech Road is a 22-foot wide NCDOT-maintained ribbon pavement facility within a 60-foot right of way.

VII. PLAN CONFORMITY WITH ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:

The 2018 Garner Forward Plan identifies Creech Road as two-lane divided facility. With the proposed improvements along the frontage of Creech Road, this project, as proposed, may be found to be in conformity with the 2018 Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations for this particular area so with the fee in lieu of park land dedication, this project, as proposed, may be found to be in conformity with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance:

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

1. Prior to recordation of the first final plat, a voluntary annexation petition be filed with the Garner Planning Department.
2. Prior to recordation of the first final plat, documents establishing a Homeowner's Association and restrictive covenants shall be submitted to the Garner Planning Director for review.
3. The developer shall be responsible for all roadway improvements required by NCDOT.
4. A fee in lieu of park land dedication must be paid at the time each building permit is requested.
5. Town of Garner engineering inspection fees must be paid prior to picking up final signed plans from Planning Department.
6. CORPUD fees for water/sewer shall be paid at time of requesting a building permit.

VIII. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their July 15, 2019 meeting. With a unanimous vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SB-19-01, Kennedy Ridge, is in conformity with adopted town plans and policies, and further accepted the staff's statements regarding zoning consistency (or lack thereof) with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommended approval of CUD-Z-19-03 to the Town Council with a simultaneous amendment to the comprehensive plan to designate this property from Medium-Density Residential (MDR) to High Density Residential (HDR).

Staff recommendations for rezoning request (CUD-Z-19-03) and site plan (CUP-SB-19-01) conformity are highlighted in the motion worksheet in the next section.

CUD-Z-19-03 – Kennedy Ridge

Rezoning Motion Worksheet

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

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

3. Find Inconsistent with the Comprehensive Plan and Approve:

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

1. Find Consistent with the Comprehensive Plan and Approve:

"I move that the Town Council accept staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and I therefore move further that the Town Council adopt Ordinance No. (2019) 3989 approving rezoning request CUD-Z-19-03 as it is reasonable and in the public interest because it will likely select as many reasons as appropriate from below list or provide your own reasoning."

- ☐ Allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces.
- ☐ Allow adequate buffers and usable open spaces that help to preserve and protect adjacent housing stock.
- ☐ Allow the development of an appropriate density of housing in the area in which it is located.
- ☐ Provide your own reason: _____

2. Find Inconsistent with the Comprehensive Plan and Deny:

"I move that the Town Council find the rezoning request inconsistent with the Garner Forward Comprehensive Plan for the following reason(s): provide your reasoning and therefore, I move further that the Town Council reject the recommendation of the Planning Commission and deny rezoning request number CUD-Z-19-03."

3. Find Inconsistent with the Comprehensive Plan and Approve:

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

- ☐ Allow the development of an appropriate density of housing in the area in which it is located
- ☐ Allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces
- ☐ Allow and use design and location to create good multi-family places in appropriate areas of Town
- ☐ Provide your own reason:

and therefore, I move further that the Town Council adopt Ordinance No. (2019) 3989 approving rezoning request number CUD-Z-19-03, and in so doing, also amend the Town's Comprehensive Growth Plan from designating the subject property as Medium-Density Residential to High Density Residential."

CUP-SB-19-01 – Kennedy Ridge

Conditional Use Permit Motion Worksheet

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

1. Find Consistent with the plans and Approve:

2. Find Inconsistent with the plans and Deny:

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

1. Find Consistent with the plans and Approve:

"I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-19-01, Kennedy Ridge with the three (3) standard conditions and six (6) site-specific conditions to be listed on the permit that will be prepared by Staff."

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

____ adjoining property,

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

____ off-site and on-site traffic flow,

____ public utilities,

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

Condition #1:

Condition #2:

Condition #3, (etc.):

2. Find Inconsistent with the Comprehensive Plan and Deny:

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

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

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

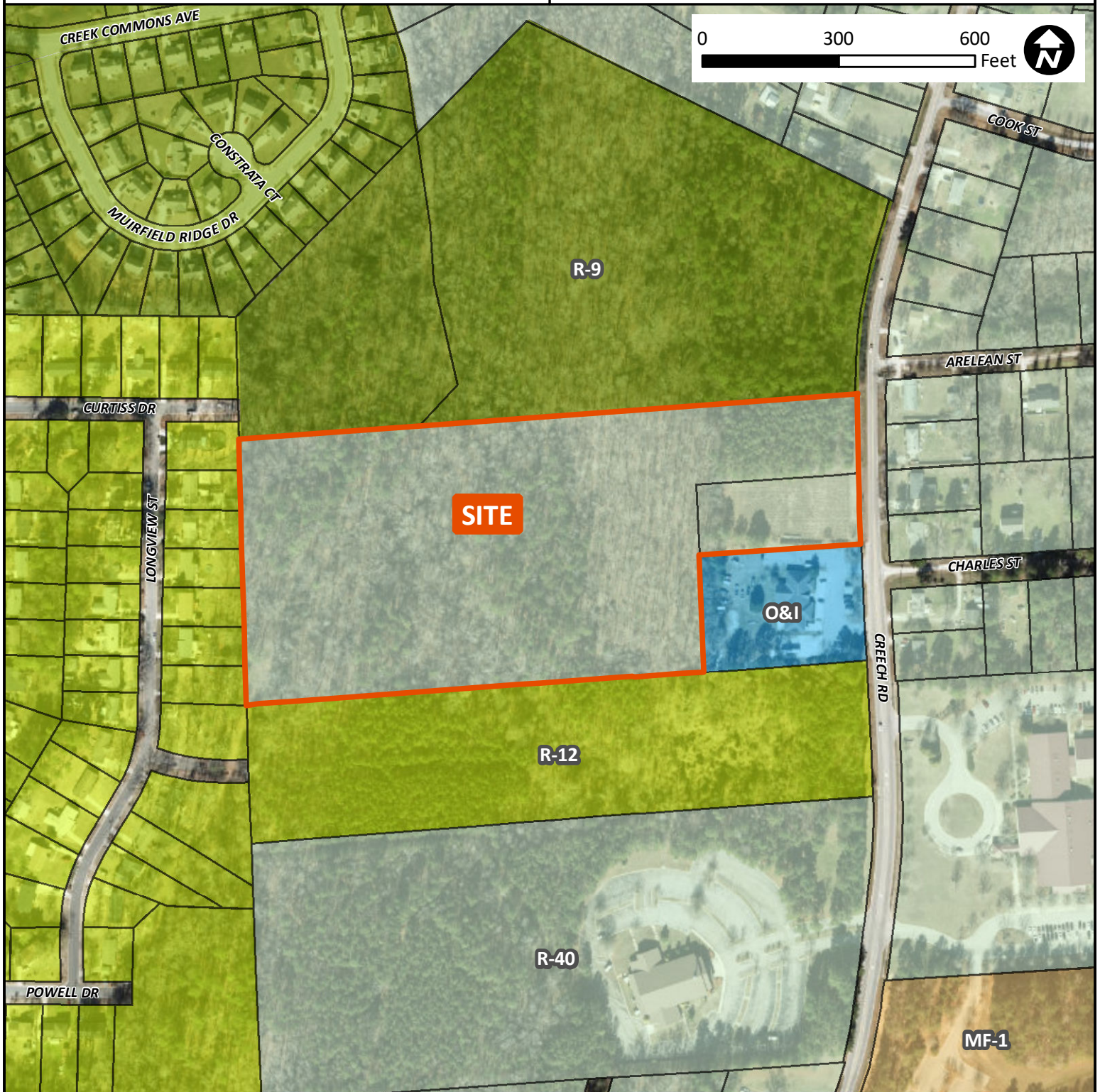
9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;
because/as evidenced by _____;
10. Adequate assurances of continuing maintenance have not been provided;
because/as evidenced by _____;

and therefore, deny Conditional Use Permit for CCAC Building Solutions – CUP-SB-19-01.



Town of Garner Planning Department

Conditional Use Rezoning CUD-Z-19-03 & CUP-SB-19-01



Project: Kennedy Ridge Subdivision
Applicant: Dan Ryan Builders
Owner: John Bosch Jr Revocable Trust
Charles & Yolanda Chappell
Location: 605 Creech Rd
Pin #: 1711-76-8003 & 1711-75-1835

Proposed Use: Subdivision
Current Zoning: Residential (R-40)
Proposed Zoning: Multi-Family (MF-1)
Acreage: 16.2
Overlay: N/A

Meeting Sign-in Sheet

Project:	Kennedy Ridge	Meeting Date:	May 9, 2019 at 7 PM
Faciliator:	Dan Ryan Builders	Place/ Room:	First Baptist Church of Garner located at 601 St Marys Street, Garner, NC 27529

Name	Address	Phone #	Email
DAVID WATSON	102 Arelean St	919 215 0886	
STEVE Woodall	504 Longview St	919 772 6665	
Jammi Confort	606 Curtiss Dr.	919 772 6665 772 5477	
ARNITA WOODARD	522 AVERY ST	919 329-7058	
Hubert Grill	604 Creech	919 622 7726	
Camelia Perez R	508 Longview St	919 601-9101	
Abat Marquez Reyes	508 Longview St	919 210-5843	
Jenny Farrell	408 Longview St	919 539-3492	
marcus Farrell	408 Longview St	919 492-0165	
Angela Weaver	510 Longview St.	(919) 801-2686	
Chris Weaver	510 Longview St.	(919) 219-0165	
April Jackson	510 Curtiss Dr.	919-376-3746	
Donna Newmeyer	600 Avery St.	919-661-9186	
Ronnie Clark	504 Creech RD	919-623-0947	
Gloria Roberts	500 Longview Street	919-988-0122	
Gary Barfoe	606 Curtiss Dr	919-810-5578	
Rob Newmeyer	509 Longview St.	919-779-1949	
Annaka Sikkink	411 Longview St.	612-382-2274	
Tim Holton	411 LONGVIEW ST	952-393-6674	

Beth Blackmon	919-866-4509	beth.blackmon@timmons.com
Liz Ange	984-255-2366	elizabeth.ange@timmons.com
Jay Colvin		jcolvin@danryanbuilders.com
Keith Roberts	919-866-4940	Keith.Roberts@timmons.com

Summary of Discussion From the Neighborhood Meeting			
Project:	Kennedy Ridge	Meeting Date:	Thursday, May 9, 2019
Applicant:	Dan Ryan Builders	Place/ Room:	First Baptist Church/ 601 St Mary's St Garner
Contact Information:	Jim Chandler/ jim.chandler@timmons.com/ 919.866-4507	Time:	7:00 PM

Meeting started with an overview of the project and a summary of what MF-1 zoning actually is plus what different types of zoning classifications there are & an explanation of lot size requirements & sizes of existing single family lots, particularly to the west of the of project. Many of the attendees resided on the west side of the property instead the Creech Road side of the project. Approval process & remaining steps was discussed (review, planning commission, town council).

Summary of questions/ comments and responses from the neighborhood meeting:

Questions/ Concern #1: The approved Ashton Forest project & it's connectivity to neighborhood plus surrounding streets was questioned

Applicant Response: Kennedy Ridge parcels are not adjacent to Curtiss, Longview or unnamed stub street off of Longview, so no connections will be made to the west with this project. Ashton Forest had a planned stub to the south that Kennedy Ridge will connect with pending development of Ashton Forest.

Questions/ Concern #2: Existing environmental features (streams & Neuse Buffers) were discussed

Applicant Response: Buffers were explained, widths & inability to impact other than with a road or utility crossing. Cost and how in this case for the small amount of useable land available in between the existing Neuse buffers it isn't financially feasible at this time to cross over.

Questions/ Concern #3: What will happen to rear parcel remaining?

Applicant Response: At this time it will be left alone, may be developed in the future when surrounding parcels develop and make access more feasible. Planning on it being HOA owned & left in a natural state.

Questions/ Concern #4: Landscaping proposed and perimeter buffer requirements were shared

Applicant Response: Required buffer widths and plantings proposed along Creech Road information was shared.

Questions/ Concern #5: Proposed road improvements for Creech Road?

Applicant Response: Creech is an ultimate 74' ROW with 3 lanes (center turn lane, plus the right & left lanes) curb & gutter and sidewalk on both sides. Left turn lane into the site will be required by NCDOT. Improvements will only happen from on the west side of Creech Rd, east side, northbound lane will remain as is with pavement & shoulder.

Questions/ Concern #6: What house price is expected?

Applicant Response: That will depend on the market but low \$200s is an approximate guess, homes are not built on spec, design & features will be dependent on sales.

Questions/ Concern #7: Do we have a backup plan with a different zoning if this isn't approved?

Applicant Response: No, THs are not allowed in R-9, R-12, etc and with the environmental features and topographical challenges, this site does not lend itself to single family lots.

Questions/ Concern #8: Why townhomes, doesn't fit in this area with what is existing?

Applicant Response: Townhomes are the new starter home in Wake County, the location close to schools, parks & downtown Garner make it attractive. Higher density to combat urban sprawl is becoming the norm, this location is convenient to Raleigh as well. Younger home buyers don't want maintenance or a yard.

Questions/ Concern #9: Wildlife is abundant in this area, don't want to see that change.

Applicant Response: Neuse Riparian Buffers & undisturbed areas leave natural travel paths for wildlife.

Questions/ Concern #10: Why didn't we leave rear to always be left as a park?

Applicant Response: Accessibility & feasibility is a concern.

Questions/ Concern #11: What areas of rear are useable?

Applicant Response: Two small triangle areas created by the Neuse buffers and the property line are the only useable areas.

Questions/ Concern #12: What about traffic concerns & the cumulative affect of nearby approved projects?

Applicant Response: Number of units is lower than the threshold for traffic study. Generally THs generate less traffic as well since smaller families tend to live there. NCDOT doesn't improve the roads in anticipation of development, they wait for developers to help and come up with ways to improve flow after congestion is there.

Questions/ Concern #13: Will homes be owner occupied or rented?

Applicant Response: Homes are not restricted, so can have renters but investors are limited to number of units that may be purchased from the builder. Because of price, isn't likely to be bought by investors looking to rent. Most will be owner occupied.

Questions/ Concern #14: Construction/completion pace expected?

Applicant Response: Construction should be finished about 3 years from now. Expecting a 2 year build out once home construction starts. Still have approvals to receive then clearing & grading could start early next year. Site work will take approximately 9 months then home construction will begin.

Questions/ Concern #15: Could rear area be sold to neighboring properties or be tree save area?

Applicant Response: NW triangle above creek could potentially be tree save area or sold if neighbors were interested. Will be considered & contact information was shared.

Questions/ Concern #16: Is annexation required?

Applicant Response: Annexation of property is required prior to construction drawing approval to connect to public water & sewer. Surrounding properties not currently in the town limits will not be affected.

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

ORDINANCE NO. (2019) 3989

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

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

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

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

Section 1. That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by Dan Ryan Builders in Rezoning Application No. CUD-Z-19-03 (MF-1 C216).

Section 2. There is hereby created a new conditional use zoning district, to be known as the Multi-Family Residential Conditional Use (MF-1 C216); within this district, all of the regulations that apply to property within the Multi-Family Residential Conditional Use (MF-1 C216) zoning district shall be applicable and that all other uses are prohibited except those that are listed as permissible shall require a conditional use permit:

The following is a list of conditions for the Multi-Family Residential Conditional Use (MF-1 C216) district.

1. Permitted use table:

Use Category	Specific Use	MF-1 C216
Household Living	Townhouse	P*

2. Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.
3. For aesthetic appeal & to prevent “mass” or “bulk” roofing, articulation or step/stagger of at least 6” between each unit will be provided.
4. Each dwelling unit shall have an enclosed or covered front porch with a minimum of 30 square feet.
5. Each dwelling unit shall have a garage for at least one (1) car.
6. Each dwelling unit shall contain a minimum of 1,450 square feet of heated gross floor area.
7. Each Townhouse Group (which is defined as a building containing 4-6 Townhouse Units) shall include at least two (2) of the following siding types on the front facade: (a) board and batten; (b) horizontal lap siding; and/or (c) shake siding.
8. If vinyl siding is used, it shall have a minimum gauge of .045.
9. A majority of the units in a townhouse group will have some masonry treatment (example: 3 out of 4, 4 out of 5, or 5 out of 6).

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

Owner(s)	Tract No.	Existing Zoning	New Zoning
John Bosch Jr Revocable Trust and Charles & Yolanda Chappell	1711-76-8003 & 1711-75-1835	Residential 40 (R-40)	Multi-Family Residential Conditional Use (MF-1 C216)

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

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

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

Section 7. This ordinance shall become effective upon adoption.

Duly adopted this 5th day of August, 2019.

Ronnie S. Williams, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

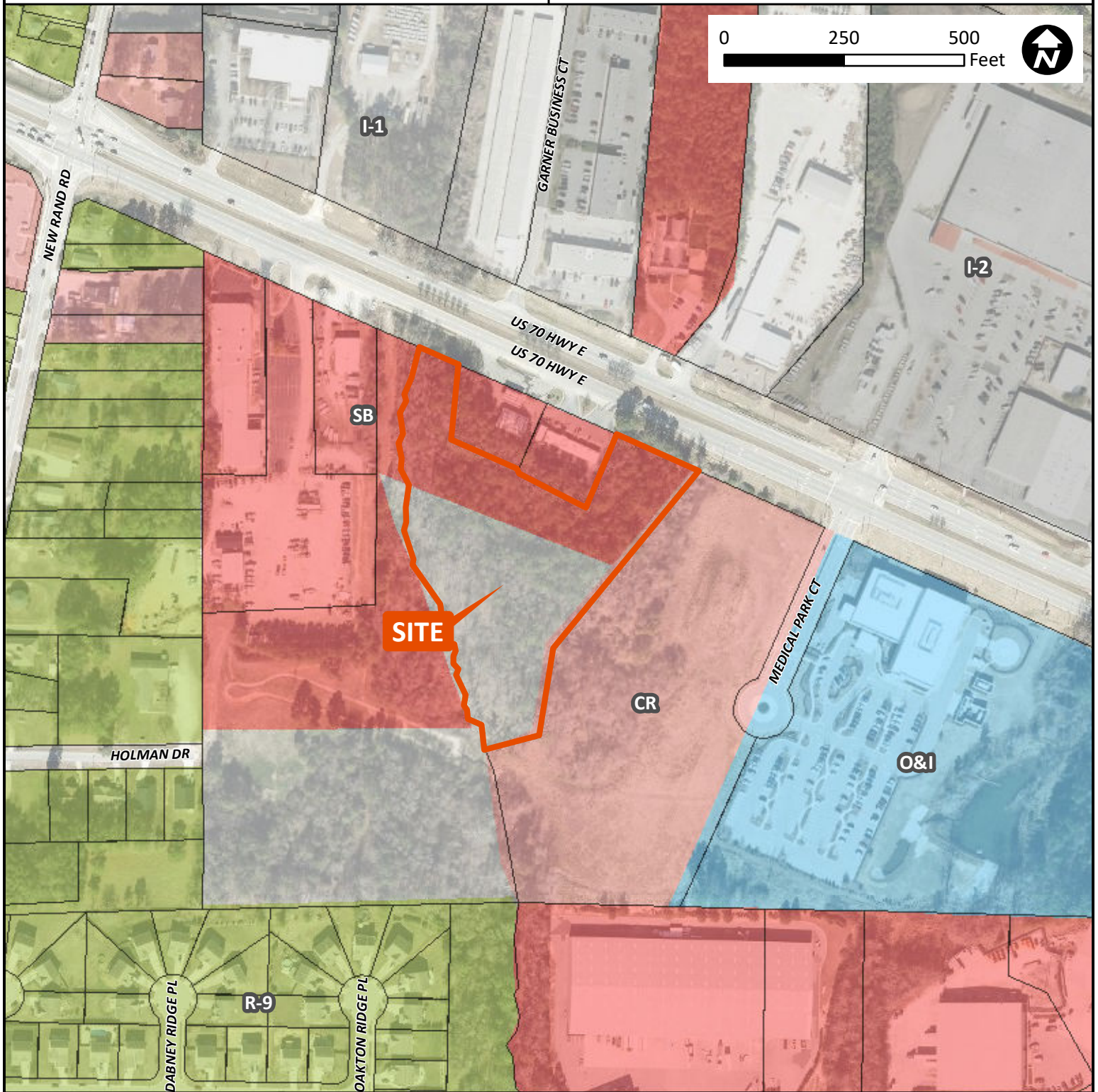
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: SUP-SP-18-05 – Holiday Inn		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Alison Jones, Planner II		
Presenter: Alison Jones, Planner II		
Brief Summary: Special use site plan (SUP-SP-18-05) request submitted by Anh Hospitality, LLC to develop a 5.03 +/- acre tract for hotel/motel use. The site is located at 312 US Highway 70 East and may be further identified as Wake County PIN# 1710-99-1886.		
Recommended Motion and/or Requested Action: Consider approval of special use permit SUP-SP-18-05.		
Detailed Notes: See attached vicinity map and staff report. No neighborhood meeting was required by ordinance at the time this application was originally filed.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner Planning Department

Special Use Site Plan SUP-SP-18-05



Project: Holiday Inn
Applicant: Anh Hospitality LLC
Owner: Anh Hospitality LLC
Location: 312 US HWY 70 East
Pin #: 1710-99-1886

Proposed Use: Hotel
Current Zoning: Industrial 1 (I-1) and
Service Business (SB)
Acreage: 5.04
Overlay: US 70/ 401

Planning Department Staff Report

TO: Mayor and Town Council Members

FROM: Alison Jones; Planner II

SUBJECT: *Special Use Site Plan SUP-SP-18-05 – Holiday Inn*

DATE: August 5, 2019

I. PROJECT AT A GLANCE

Project Number: SUP-SP-18-05, Holiday Inn

Applicant: ANH Hospitality, LLC

Owner: ANH Hospitality, LLC

Plan Prepared by: Aiken & Yelle Associates

General Description -

Proposed Use: Hotel

Project Location: 5.03 +/- acres located at 312 US 70 HWY E

Wake Count PIN(s): 1710-99-1886

Zoning Classification: Service Business (SB) & Light Industrial (I-1)

Key Meeting Dates:

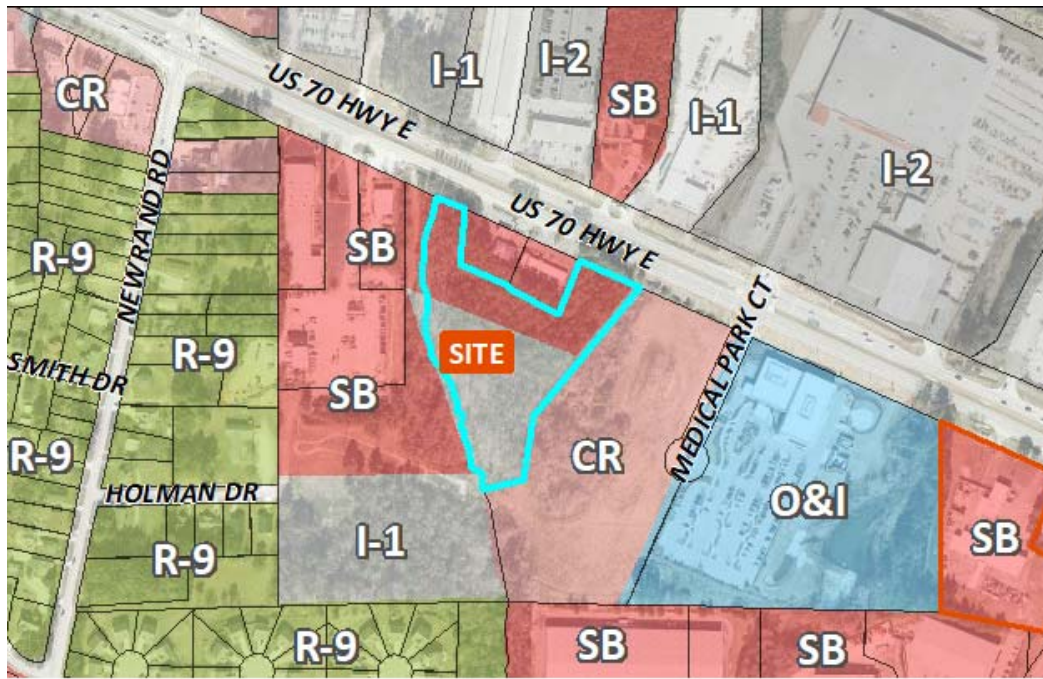
Planning Commission: July 15, 2019

Town Council Public Hearing: August 5, 2019

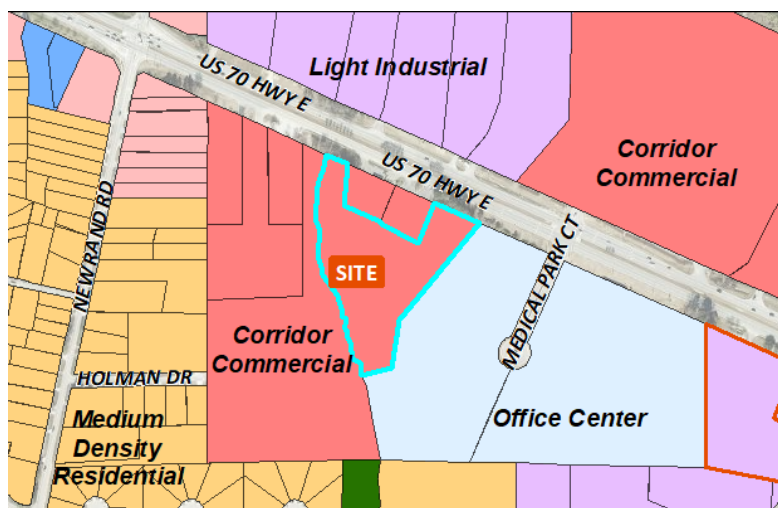
Note: No neighborhood meeting was required as this project was submitted prior to the adoption of the applicable text amendment.

II. ZONING & LAND USE

The proposed use is a 5-story, 107-room hotel. The 5-acre site has split zoning between Service Business (SB), 2.1 acres, and Light Industrial (I-1), 2.9 acres. Hotels are permissible in both zoning districts with special use permit approval; therefore, a re-zoning was not required, although it was discussed.



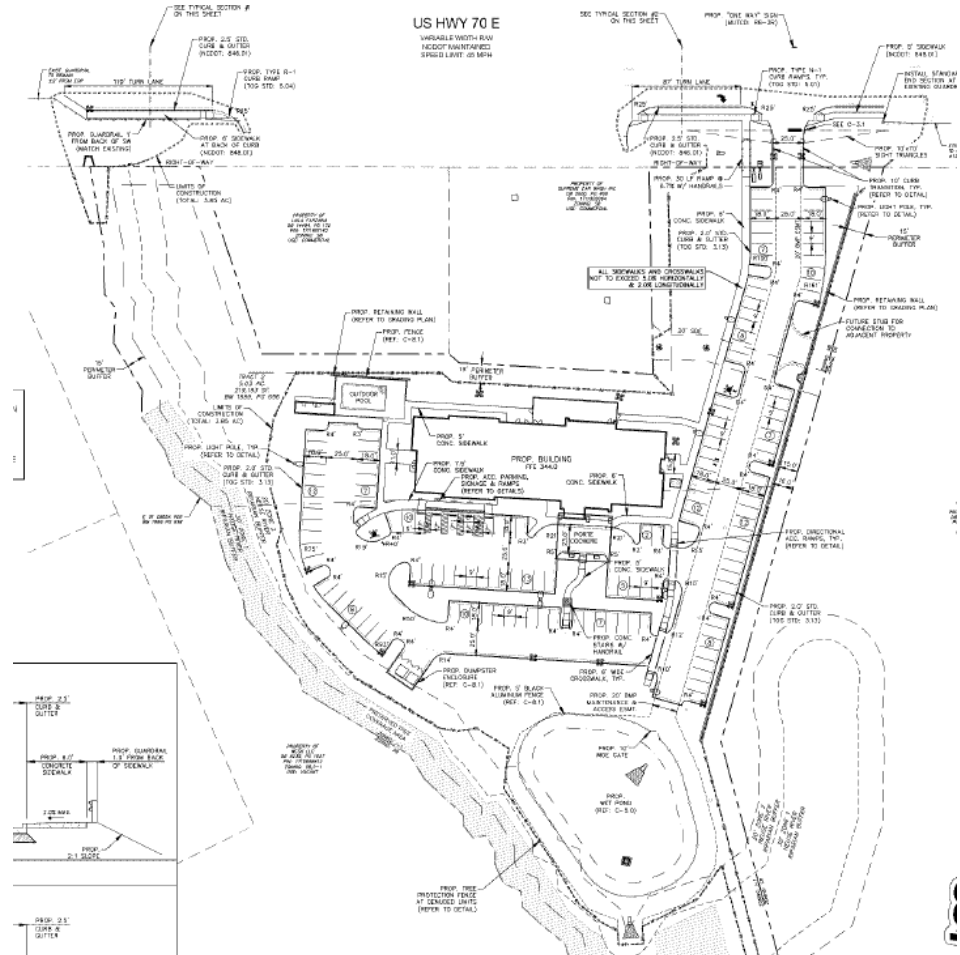
The predominant land uses in this area are light industrial and highway commercial. The Garner Forward Plan designates this site as Corridor Commercial (CRC). According to the Plan, CRC areas are located along highways and major arterials and emphasize commercial centers that have individual driveways and separated parking lots, unique signage, and differentiated building materials and styles along a major arterial roadway. The proposed hotel use would be compatible with this category.



III. SITE PLAN PROJECT DATA

Acreage: 5.03 acres

Building Size: 68,085 square feet



Building Material and Color:

The building is constructed of cultured stone and brick and EFIS. Building colors are Trusty Tan, Nouvelle White, Pennywise, and Special Gray.



**Landscape and
Buffer
Requirements:**

The plan as proposed meets the requirements of the Landscape Ordinance.

Tree Cover: Requirements met with existing vegetation; vehicular service area plantings; and new vegetation, if required, in the perimeter buffers. The southern portion of the parcel is being designated as preserved tree coverage area.

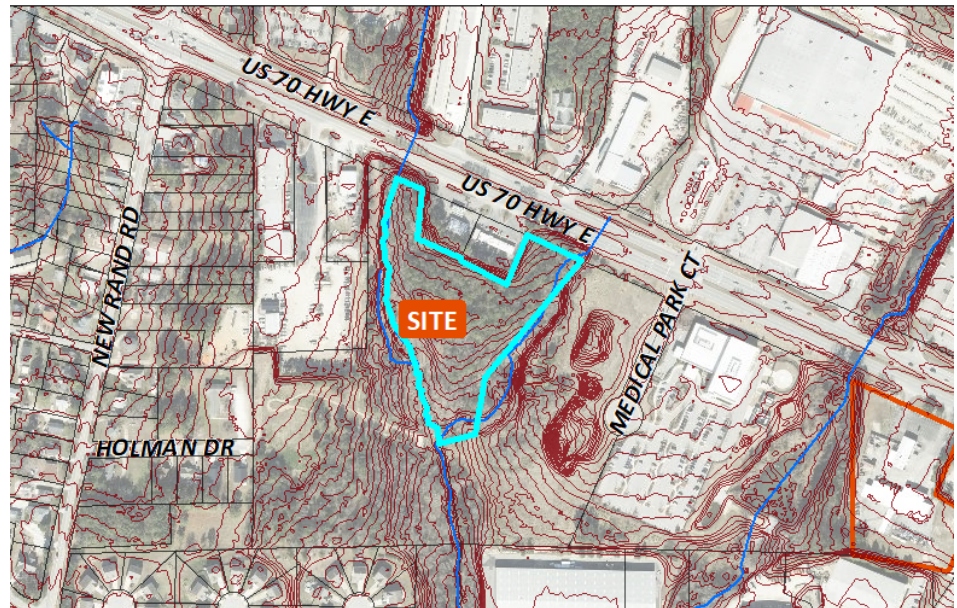
Street Buffers: There is a 15-foot buffer (horizontal distance separation only) along US Highway 70.

Perimeter Buffers: The Western 15-foot buffer, adjacent to existing commercial use, will use existing plant material. Also, located within this perimeter buffer is a Neuse River riparian buffer that mostly be left undisturbed. The Eastern 15-foot buffer is being met with existing plant material. Staff will perform site inspections to determine if supplemental plantings will be required in the buffers.

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

**Environmental
Features:**

This site does not contain any FEMA designated floodplain but is subject to Neuse River riparian buffer rules for identified streams. There is no proposed land disturbance in any environmentally sensitive areas.



**Fire
Protection:**

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

**Parking
Spaces:**

Number - Parking is based on 1 space per room and 1 space for every 2 employees on the maximum shift:

Required: 112 (5 accessible)

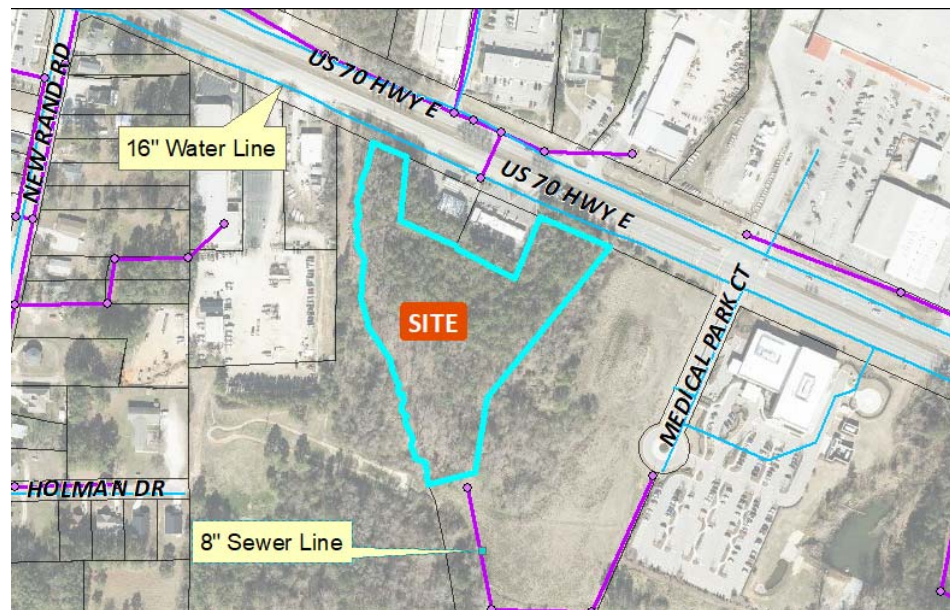
Proposed: 138 (5 accessible)

Lighting:

Lighting plan is being drafted by Duke Energy and will be reviewed and approved prior to the issuance of building permit.

Infrastructure:

Water/Sewer - Connections to adjacent public water and sewer proposed. A 16' water line runs along US Highway 70, and there is an 8" sewer manhole in the southern rear of the site where the connection will be made.



Stormwater Management - Holiday Inn Express is a proposed commercial development located on US Hwy 70 near New Rand Road. The site is not located within the watershed protection area. There is a jurisdictional stream and, therefore, a Neuse riparian buffer, that runs along the east and south borders of the site. This site is subject to water quality requirements for nitrogen and water quantity requirements for the 1, 10, and 25-year storm events. This development plan will remain under the 10 pounds per acre threshold for nitrogen loading rate and will not trigger a stormwater control measure for treatment of nitrogen. However, the site will construct a wet retention pond to treat stormwater quantity for the 1, 10, and 25-year storms, which will also treat a portion of the nitrogen export from the developed site. The remainder of the nitrogen will be handled by an offset buydown.

Frontage Improvements – Sidewalk, curb and gutter.

Site Access – Driveway access to the site from US Highway 70.

Traffic Impact Analysis – Not required.

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

2018 Garner Forward Transportation Plan:

The 2018 Garner Forward Transportation Plan recommends a 6-lane divided highway for US 70. The site has limited frontage, but road improvements will be provided including lane widening (right turn lane), curb, gutter, and sidewalks. The proposed plans may be considered consistent with the recommendations of the 2018 Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

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

Unified Development Ordinance Regulations:

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

1. Prior to the issuance of the first building permit a lighting plan must be approved by Town staff;
2. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
3. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department; and
4. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank.

V. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their July 15, 2019 meeting. Planning Commission unanimously confirmed staff's findings in Section IV that SUP-SP-18-05, Holiday Inn, is in conformity with adopted town plans and policies.

Staff recommendation for site plan (SUP-SP-18-05) conformity is highlighted in the motion worksheet in the next section.

SUP-SP-18-05 – Holiday Inn

Special Use Permit Motion Worksheet

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

1. Find Consistent with the plans and Approve:

2. Find Inconsistent with the plans and Deny:

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

1. Find Consistent with the plans and Approve:

"I move that the Council accept the staff statements regarding plan consistency in Section IV of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve SUP-SP-18-05, Holiday Inn, with the three (3) standard conditions and four (4) site-specific conditions to be listed on the permit that will be prepared by Staff."

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

_____ adjoining property,

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

_____ off-site and on-site traffic flow,

_____ public utilities,

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

Condition #1:

Condition #2:

Condition #3, (etc.):

2. Find Inconsistent with the Comprehensive Plan and Deny:

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

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

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

9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;
because/as evidenced by _____;
10. Adequate assurances of continuing maintenance have not been provided;
because/as evidenced by _____;

and therefore, deny Conditional Use Permit for CCAC Building Solutions – SUP-SP-18-05.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: CUP-SP-19-03, Tarheel Paper		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Lauren Long; Planner I		
Presenter: Lauren Long; Planner I		
Brief Summary: Conditional use site plan (CUP-SP-19-03) request submitted by Tony M. Tate Landscape Architecture, PA to develop a 4.93 +/- acre site for office / warehouse use. The site is located in White Oak Business Park East at 140 Spaceway Court and may be further identified as Wake County PIN# 1730-31-9476.		
Recommended Motion and/or Requested Action: Consider approval of conditional use permit CUP-SP-19-03.		
Detailed Notes: See attached vicinity map and staff report. The property is currently zoned Heavy Industrial (I-2 C157) Conditional Use.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner Planning Department

Conditional Use Permit CUP-SP-19-03



Project: Tarheel Paper
Applicant: TMTLA Associates
Owner: Martin Holdings, LLC
Location: 140 Spaceway Court
Pin #: 1730-31-9476

Proposed Use: Warehouse
Current Zoning: I-2
Acreage: 4.93
Overlay: None

Planning Department Staff Report

TO: Mayor and Town Council Members

FROM: Lauren Long; Planner I

SUBJECT: *Conditional Use Permit # CUP-SP-19-03, Tarheel Paper*

DATE: August 5, 2019

I. PROJECT AT A GLANCE

Project Number: CUP-SP-19-03, Tarheel Paper

Applicant: Tony Tate, Tony M. Tate Landscape Architecture

Owner: Martin Holdings, LLC / Jordan Martin

Plan Prepared by: Tony M. Tate Landscape Architecture, PA

General Description -

Proposed Use: Storage (including outdoor) – conditioned to be indoor only, Other Office

Project Location: 140 Spaceway Court

Wake Count PIN(s): 1730-31-9476

Zoning Classification: Heavy Industrial Conditional Use (I-2 C157)

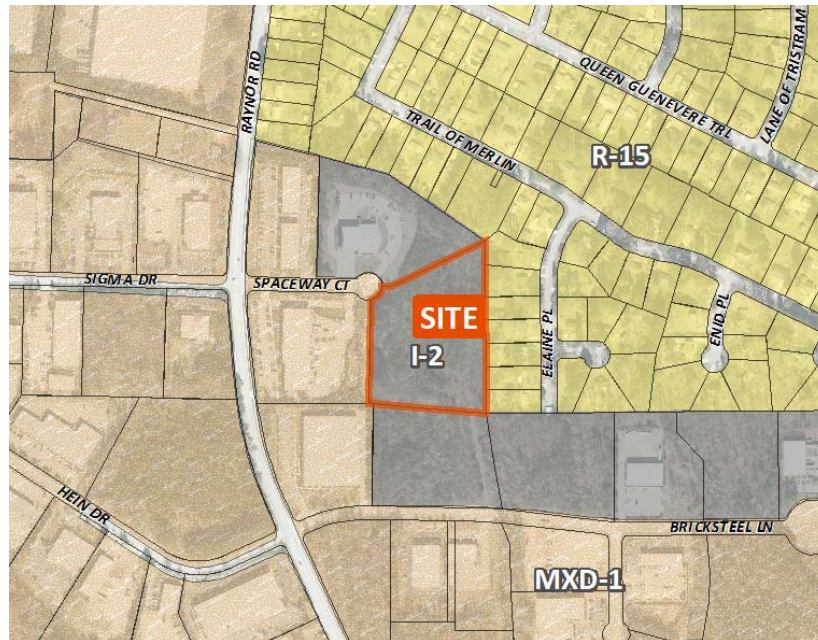
Key Meeting Dates -

Planning Commission: July 15, 2019

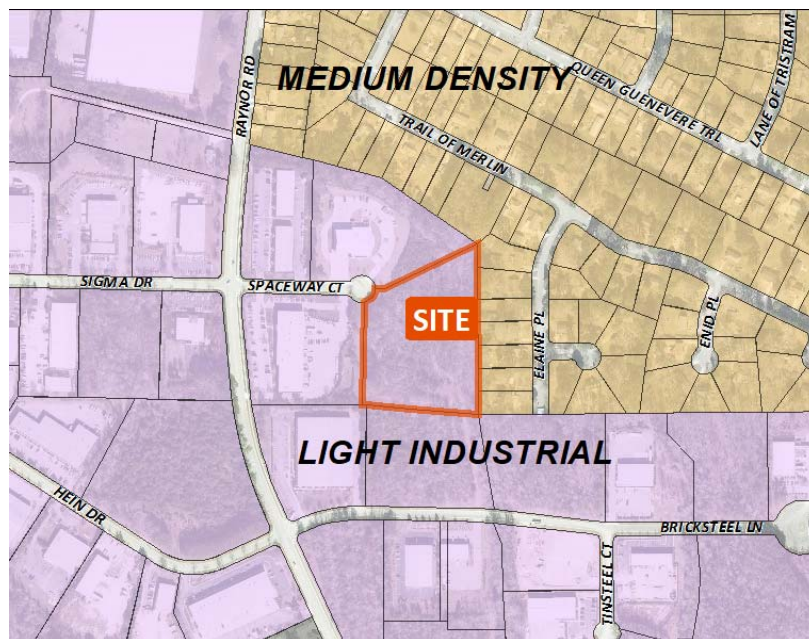
Town Council Public Hearing: August 5, 2019

II. ZONING AND LAND USE

The proposed use is office / warehouse. This site is located in White Oak Business Park East off Raynor Road. The predominate zoning of this area is MXD-1 C25. This particular site is zoned I-2 C157. The proposed use is permissible in this district.



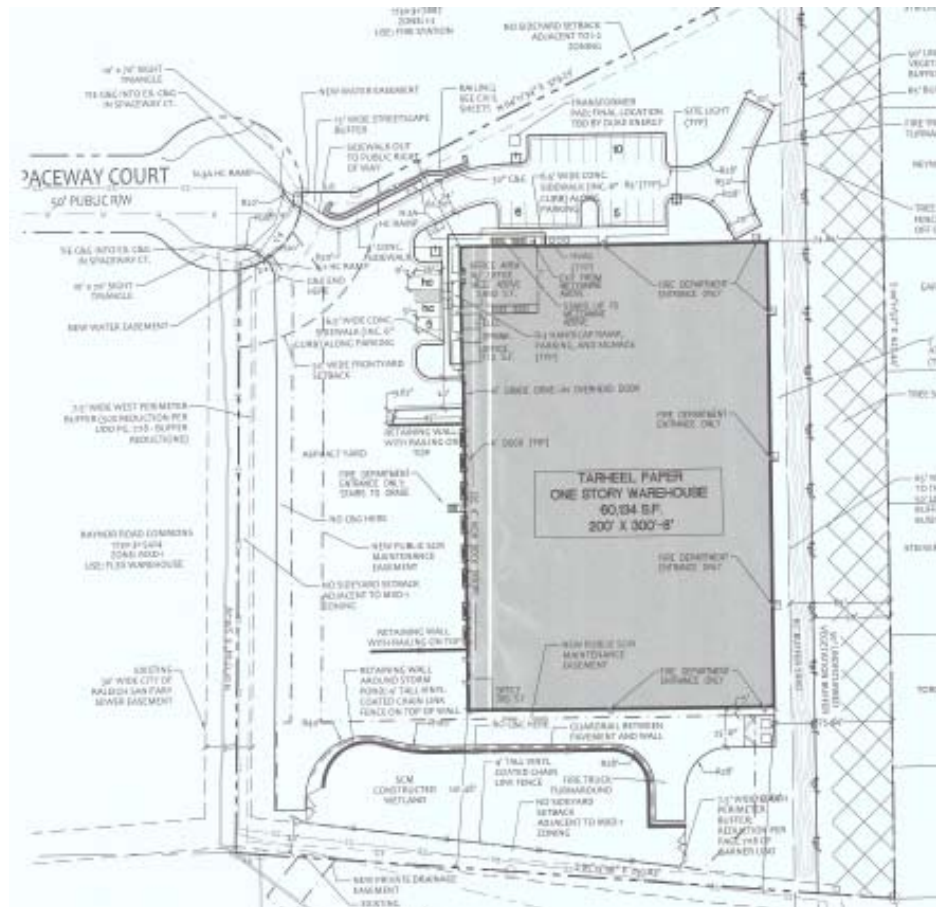
The predominant land uses in this area are light industrial and single-family. Camelot Subdivision is located northeast of White Oak Business Park. The business park contains mostly office / warehouse uses. The Garner Forward Plan designates this park as **Light Industrial**, and the proposed use would be compatible with the plan's land use recommendations.



III. SITE PLAN PROJECT DATA

Acreage: 4.93 acres

Building Size: 60,134 square feet



Building Material and Color:

The buildings will be constructed of a split elevation of #373 Autumn Blend Brick with painted CMU to match and Ash Grey vertical and horizontal metal wall panels with French Grey accent brick. There will also be a standing seam metal roof and 9 Roll up doors on the western elevation.



Landscape and Buffer Requirements:

The plan as proposed meets the requirements of the Landscape Ordinance as well as the conditions under section 2 of Conditional Use Zoning District C-157 “additional site conditions and restrictions”.

Tree Cover: Requirements met with 14.3 % existing vegetation preserved on the site.

Street Buffer: There is a 15-foot buffer (horizontal distance separation only) adjacent to the short section along the Spaceway Court cul-de-sac.

Perimeter Buffers: A 65-foot perimeter buffer is provided to the east where the development abuts Camelot subdivision. The 50-foot undisturbed buffer was a rezoning condition when the parcel was rezoned in 2008. The southern buffer has been reduced to 7.5’ under the condition that the site to the south also meet the 7.5’ requirement in order to meet the intent of the ordinance.

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

Environmental Features:

This site does not contain any FEMA designated floodplain and there is no proposed land disturbance in any environmentally sensitive areas.



Fire Protection:

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

Parking Spaces: **Number** - Parking is based on the square footage of Warehouse (1 space for every 2 employees on the maximum shift) and other office (1 space for every 300 sq ft):

- Required: 7
- Proposed: 26

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

Infrastructure: **Water/Sewer** - Connection to the municipal water system will occur through connections to the existing water line on Spaceway Court at the northwest corner of the site. Connection to the sanitary sewer system will occur through connection to the existing sewer lines at the northwest and southeast corners of the site.



Stormwater Management - Tarheel Paper is a commercial development within White Oak Business Park East that is not located within the watershed protection area. This site is subject to water quality requirements for nitrogen only. A downstream hydrology study was performed for White Oak Business Park East with prior rezoning that demonstrated any detention onsite would increase flows to

nearby White Oak Creek; therefore, detention was not required in this area. This developed plan will result in a nitrogen export of 12.19 pounds per acre per year. A single wetland stormwater control measure is proposed to bring the export under the 10 pounds per acre threshold for nitrogen loading rate. Additionally, a nitrogen offset buydown will be required with the development of this commercial site to accommodate the remaining increased loading.

Frontage Improvements: Approximately 90' of Sidewalk as well as curb and gutter are proposed for the north side of the site off the entrance from Spaceway Court.

Site Access: Access to the site is controlled from Spaceway Court.

Traffic Impact Analysis: Not required

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

2018 Garner Forward Transportation Plan:

A review of the Garner Forward Transportation Plan revealed no plan recommendations for Spaceway Court; therefore, this project, as proposed, may be considered consistent with the Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

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

Unified Development Ordinance Regulations:

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

1. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
2. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department; and
3. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank.

V. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their July 15, 2019 meeting. With a unanimous vote, the Planning Commission confirmed staff's findings in Section IV that CUP-SP-19-03, Tarheel Paper, is in conformity with adopted town plans and policies.

Staff's recommendation for site plan (CUP-SP-19-03) conformity is highlighted in the motion worksheet in the next section.

CUP-SP-19-03 – Tarheel Paper

Conditional Use Permit Motion Worksheet

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

1. Find **Consistent** with the plans and **Approve**:

2. Find Inconsistent with the plans and Deny:

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

1. Find Consistent with the plans and Approve:

“I move that the Council accept the staff statements regarding plan consistency in Section IV of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-19-03, Tarheel Paper, with the three (3) standard conditions and three (3) site-specific conditions to be listed on the permit that will be prepared by Staff.”

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

____ adjoining property,

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

____ off-site and on-site traffic flow,

____ public utilities,

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

Condition #1:

Condition #2:

Condition #3, (etc.):

2. Find Inconsistent with the Comprehensive Plan and Deny:

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

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

1. The proposed use will endanger the public health or safety
because/as evidenced by _____;
2. The proposed use will substantially injure the value of adjoining or abutting property;
because/as evidenced by _____;
3. The proposed use does not comply with all applicable provisions of this UDO;
because/as evidenced by _____;
4. If completed as proposed, the development will not comply with all requirements of this section;
because/as evidenced by _____;
5. The proposed use will not be compatible with the proximate area in which it is to be located;
because/as evidenced by _____;
6. The proposed use is inconsistent with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);
because/as evidenced by _____;
7. The proposed use is incompatible with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

- because/as evidenced by _____;*
8. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment;
because/as evidenced by _____;
9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;
because/as evidenced by _____;
10. Adequate assurances of continuing maintenance have not been provided;
because/as evidenced by _____;

and therefore, deny Conditional Use Permit for CCAC Building Solutions – CUP-SP-19-03.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 5, 2019		
Subject: Facility Naming Request – Rand Mill Park		
Location on Agenda: Old/New Business		
Department: Administration		
Contact: Matt Roylance, Assistant Town Manager - Operations		
Presenter: Matt Roylance, Assistant Town Manager - Operations		
Brief Summary: Pursuant to the Town's recently approved Facility Naming Policy (attached), Mechele Collins has submitted a request to rename Rand Mill Park in honor of former Council Member Jackie Johns.		
Recommended Motion and/or Requested Action: Consider the request from Ms. Collins to rename Rand Mill Park as Jackie Johns Community Park.		
Detailed Notes: The request from Ms. Collins includes all of the information required by the policy. Items A, B, and C in Section 6 of the policy are addressed in the attached document. She also has a petition showing community support and a letter of support from Mr. Johns' family members (Items D and E in Section 6) that she plans to deliver at the meeting. The Parks, Recreation and Cultural Resources Department and the Public Works Department have reviewed the request and have no objections. If Council chooses to approve this request, the only cost to the Town will be approximately \$3,500 to purchase and install a new sign at the park.		
Funding Source: Public Works Operating Budget		
Cost: \$3,500	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: This is the first application of the naming policy since its recent adoption.		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MR	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

SMITH DRIVE COMMUNITY REUNION COMMITTEE
Garner, NC 27529

Wednesday, July 31, 2019

Smith Drive Community Reunion Committee
Garner, NC 27529

Town of Garner
900 7th Avenue
Garner, NC 27529

Dear Town of Garner;

The Smith Drive Community Reunion would like to honor the memory of Councilman Jackie Johns who passed away in January this year. He served the Town of Garner for 36 years as an alderman and council member. He served three separate tenures in office. We also want to honor him as the first and only African-American elected official in the Town of Garner.

This proposal is to officially have the Rand Mill Road Park located at 508 Rand Mill Road, Garner NC 27529 renamed

Jackie Johns Community Park.

HISTORY:

In the 1970's "The Park" was located at the corner of Bagwell Street and Smith Drive. This playground consisted of three (3) hoppy riding toys, a picnic table and a grill. As a child I remember the community hosting several childhood birthday parties.

In the early 1980's Mr. Johns was instrumental in petitioning the town council to upgrade "The Park" to the current Rand Mill Park which 13

acres include a baseball field, a basketball court, a covered picnic area, a playground area with swings, monkey bars, and a sliding board. We also have men and women restrooms conveniently located on the park grounds.

In 2015 the Smith Drive Community hosted, our first community reunion held on September 12, 2015. What started out as a one-time event, quickly evolved into an annual event where citizens of Garner and surrounding communities come together and fellowship. The turnout and participation far exceeding our expectations and we have thus continued this annual gathering for the past 3 years. Our 4th reunion is scheduled for September 7th of this year.


This reunion includes eating, playing games and reflecting on the past. In 2018, we presented “Outstanding Citizens Certificates” to several older members of the community. Councilman Jackie Johns was one of our recipients and stated that he really enjoyed the event and was proud to see how the community was enjoying the park. Mr. Johns also resided in community with his wife Lily they raised their two sons, Jackie John Jr. and Danny.

Mr. Jackie Johns was a councilman, a deacon, a community leader, a Gentle Giant to the Garner Community. Because of his lifelong service to us, we, the Smith Drive Committee would like to acknowledge and show our appreciation to a good man that help make the Garner community a positive and great place to live.

We look forward to hearing from you and getting a response soon.

With Kind Regards,

The Smith Drive Community Reunion Committee

	<h1 style="text-align: center;">Town of Garner</h1> <h2 style="text-align: center;">Policy Manual</h2>	
	Policy #9000 - Facility Naming Policy	
	Effective Date: June 3, 2019	

9000.1 – Purpose

The purpose of the policy is to establish a consistent approach for naming Town of Garner facilities.

9000.2 – Definition of Facilities

- A. Facilities include all Town-owned assets, including buildings, structures, parks, open spaces, and natural areas.
- B. Facilities also include Town-owned streets, although renaming a street has additional implications due to address changes.
- C. Features and spaces within a facility may be named separate from the facility itself.

9000.3 – Naming Objectives

When considering a proposal to name or rename a Town facility, the proposed name should accomplish one or more of the following objectives:

- A. Describe the function of the facility and/or assist the public in identifying the facility's intended use.
- B. Recognize a distinct geographic location, natural or geographic features, or local points of reference.
- C. Recognize outstanding accomplishments by an individual for the good of the community. The quality of the contribution should be considered along with the individual's length of service to the community.
- D. Recognize an individual, group, or organization that contributed significantly to the acquisition, development, or operation of the facility and/or the features within the facility.
- E. Commemorate places, people, or events that are of lasting importance to the town, region, state or nation (ex: Centennial Park).

9000.4 – Naming Criteria

In addition to meeting at least one of the objectives listed above, the proposed name should meet all of the following criteria:

- A. Have a strong positive image and stand the test of time.
- B. Have broad public support and not be divisive.
- C. Not result in the undue commercialization of the facility if it accompanies a corporate gift or sponsorship.
- D. Avoid recognizing an individual, group, or organization that has already been appropriately recognized in other Town facilities.
- E. Avoid names that are similar to other named facilities in the community to reduce confusion.

9000.5 – Duration and Modification of Naming

- A. The duration of a facility's name ordinarily continues for the life of the facility. Upon demolition, replacement, substantial renovation, repurposing, or similar modification, the Town may deem that the naming period has concluded.
- B. While renaming an existing facility is discouraged, there are times when renaming may be necessary or desired. Critical examination should be conducted to ensure that renaming the facility will not diminish the original justification for the name or the prior contributors. Renaming may follow the same procedures and criteria as naming the facility.
- C. In appropriate instances, most often involving a corporate sponsor, a naming may be granted for a pre-determined fixed term. At the end of the term, the name of the facility or program shall expire but may be renewed with the same or a new name.
- D. If the reputation or character of an individual, group, or organization changes substantially so that it is no longer consistent with this policy, or not in the best interest of the Town, the naming may be revoked.

9000.6 – Procedure

A request to name or rename a Town facility shall be submitted in writing to the Town Manager. The request should include:

- A. The facility or feature to be named.
- B. The proposed name.
- C. Reasons for the proposed name and how the proposed name is consistent with this policy.
- D. Evidence of community support for the proposed name.
- E. Evidence of support from the individual, group, or organization being honored, if applicable. If the individual is deceased, evidence of support from family members is acceptable.

Once received, Town staff will evaluate the request and forward to the Town Council for consideration. The Town Council may choose to approve the request, deny the request, modify the request, refer the request to committee, hold a public hearing or public comment period, or any other action it deems appropriate.

9000.7 – Effective Date

This policy shall become effective on June 3, 2019.

Reports

Id	Title	Description	Current Status	Address	Date Created
5806948	Anonymous Tip	This Atlantic Roofing Supply business continues to park their 18 wheeler trucks on the street every night. We are awakened every morning around 0430 due their workers arriving to work before business hours cranking their trucks in front of our home. Can something be done about this? I have attached a photo below.	In Progress	1308 Bobbitt Dr, Garner	3/31/2019
5909573	Pipe and Storm Drain Maintenance	gutter drain is clogged with leaves	In Progress	Towne View Trail, Garner	4/18/2019
6401179	Streetlight Problem	Streetlight is turned into the tree and the tree has overgrown the light, making a dark spot in the street.	In Progress	253 Timber Dr, Garner	7/11/2019
6408181	Sidewalk Repair	A cement Portion off driveway curb has broken off and needs repairing.	Received	108 Coalyard Dr, Garner	7/13/2019
6420711	Junk Vehicle (Private Property)	Two junk cars	In Progress	100 Pineway St, Garner	7/15/2019
6447248	Tall Grass/Weeds (Private Property)	tall grass needs to be cut	In Progress	1401 Meadowbrook Dr, Garner	7/19/2019
6461971	Misc. - Parks / Town Property	the tap for the yard hydrant in the dog park has been broken at the base. It appears somebody's shut off the main water source but this needs to be fixed ASAP so we can water the dogs	In Progress	205 E Garner Rd, Garner	7/22/2019
6463253	Trim Vegetation	On the west side of the house touching Comelia Drive there's a tree that had a few branches break in the last big storm. The limbs are very large and are being held above the power or phone line by other, smaller limbs.	Submitted	4407 Parkwood Dr, Raleigh	7/23/2019
6466645	Misc. - Streets	damaged and covered vehicle parked in the street	Submitted	513 Forest Ridge Rd, Garner	7/23/2019
6494559	Trim Vegetation	large bush overgrowth blocking the sidewalk	In Progress	867 Hadrian Dr, Garner	7/28/2019
6495618	Misc. - Streets	A piece of furniture on the curb, needs to be tagged for pickup.	Submitted	1629 Hall Blvd, Garner	7/29/2019
6507652	Junk Vehicle (Private Property)	Vehicle on blocks. House in disrepair	Submitted	1505 Wiljohn Rd, Garner	7/30/2019

Building Activity by Type and Proposed Use for

Report Beginning: 07/01/2019 to Report Ending: 7/31/2019

Addition

Proposed Use	Number of Units	Construction Value	Intown Value
DECK	3	\$45,200.00	\$29,200.00
SCREENED PORCH	3	\$38,875.00	\$38,875.00
SINGLE FAMILY DWELLIN	1	\$22,000.00	\$22,000.00
Total	7	\$106,075.00	\$90,075.00

Alteration

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	5	\$612,396.00	\$612,396.00
MERCANTILE/RETAIL	3	\$262,150.00	\$262,150.00
SCREENED PORCH	2	\$32,750.00	\$32,750.00
SINGLE FAMILY DWELLIN	7	\$182,019.00	\$182,019.00
SOLAR SYSTEM (RES)	6	\$142,251.00	\$122,781.00
STORAGE/WAREHOUSE	1	\$1,886.00	\$0.00
Total	24	\$1,233,452.00	\$1,212,096.00

Alterations

Proposed Use	Number of Units	Construction Value	Intown Value
SINGLE FAMILY DWELLIN	2	\$15,710.00	\$15,710.00
Total	2	\$15,710.00	\$15,710.00

Demolition

Proposed Use	Number of Units	Construction Value	Intown Value
SINGLE FAMILY DWELLIN	1	\$8,220.00	\$8,220.00
Total	1	\$8,220.00	\$8,220.00

Electrical

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$150.00	\$150.00
CHANGE OF SERVICE	2	\$2,650.00	\$2,650.00

ELECTRICAL SERVICE REC	2	\$650.00	\$150.00
MECHANICAL REPLACEME	1	\$1,200.00	\$0.00
MULTI-FAMILY 5 UNITS &	1	\$1,200.00	\$1,200.00
OTHER	1	\$4,457.00	\$0.00
SINGLE FAMILY DWELLIN	5	\$9,602.00	\$8,802.00
SOLAR SYSTEM (RES)	1	\$900.00	\$900.00
Total	14	\$20,809.00	\$13,852.00

Mechanical

Proposed Use	Number of Units	Construction Value	Intown Value
MECHANICAL REPLACEME	49	\$406,200.46	\$339,551.46
SINGLE FAMILY DWELLIN	4	\$20,157.00	\$18,157.00
Total	53	\$426,357.46	\$357,708.46

New Building

Proposed Use	Number of Units	Construction Value	Intown Value
ASSEMBLY/AMUSEMENT	1	\$3,000,000.00	\$3,000,000.00
BUSINESS/OFFICE	1	\$150,500.00	\$150,500.00
RESIDENTIAL STORAGE	1	\$4,000.00	\$4,000.00
SINGLE FAMILY DWELLIN	34	\$5,281,776.00	\$4,076,080.00
STORAGE/WAREHOUSE	1	\$1,449,842.00	\$1,449,842.00
TOWNHOME	11	\$1,172,648.00	\$1,172,648.00
Total	49	\$11,058,766.00	\$9,853,070.00

New Structure

Proposed Use	Number of Units	Construction Value	Intown Value
COMMERCIAL SIGN	1	\$6,000.00	\$6,000.00
GARAGE DETACHED	2	\$43,300.00	\$43,300.00
RETAINING WALL	2	\$49,429.00	\$49,429.00
TEMPORARY TENT	1	\$3,000.00	\$3,000.00
Total	6	\$101,729.00	\$101,729.00

Plumbing

Proposed Use	Number of Units	Construction Value	Intown Value
--------------	-----------------	--------------------	--------------

GAS HOT WATER HEATER	1	\$2,050.00	\$2,050.00
PLUMBING	2	\$3,800.00	\$3,800.00
SINGLE FAMILY DWELLIN	4	\$30,180.00	\$30,180.00
TANKLESS HOT WATER HE	2	\$10,867.00	\$10,867.00
WATER & SEWER SERVICE	1	\$5,000.00	\$0.00
WATER SERVICE	1	\$3,440.00	\$3,440.00
Total	11	\$55,337.00	\$50,337.00

Repair

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$3,500.00	\$3,500.00
SINGLE FAMILY DWELLIN	1	\$18,000.00	\$18,000.00
Total	2	\$21,500.00	\$21,500.00

Sum

Total Number of Permits

169

Total Construction Value

\$13,047,955.46

Total Intown Value

\$11,724,297.46

Permit #:	2190142	Inside Town Limits	Yes
Issue date:	7/16/2019	Census tract:	PIN#: 1619-23-5669
Lot#:		Subdivision: ARBOR GREENE	Total cost: \$200,600.00
PropAddress:	105 VERDE GLEN DRIVE		
Owner's	AMH DEVELOPMENT	Owner's Phone:	805-413-5300
Contractor	MARDON CONSTRUCTION MANAGEMEN	Contractor's Phone:	919-521-2666
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2190379	Inside Town Limits	Yes
Issue date:	7/9/2019	Census tract:	PIN#: 1730-50-4517
Lot#:		Subdivision: N/A	Total cost: \$1,449,842.00
PropAddress:	800 BRICKSTEEL LANE		
Owner's	PRISTINE PARTNERS LLC	Owner's Phone:	919-232-2282
Contractor	GREGORY DEVELOPMENT	Contractor's Phone:	919-779-3522
Type of Improvement:	New Building	Proposed Use	STORAGE/WAREHOUSE

Permit #:	2190510	Inside Town Limits	Yes
Issue date:	7/18/2019	Census tract:	PIN#: 1701-48-4333
Lot#:		Subdivision: N/A	Total cost: \$150,300.00
PropAddress:	1553 US HIGHWAY 70 WEST		
Owner's	SANDRA SMITH	Owner's Phone:	919-561-0509
Contractor	NATIONAL CUSTOM CORPORATE SERVI	Contractor's Phone:	770-441-1660
Type of Improvement:	Alteration	Proposed Use	MERCANTILE/RETAIL

Permit #:	2190618	Inside Town Limits	Yes
Issue date:	7/10/2019	Census tract:	PIN#:
Lot#:		Subdivision: N/A	Total cost: \$450,000.00
PropAddress:	1725 AVERSBORO ROAD		
Owner's	BANFIELD PET HOSPITAL	Owner's Phone:	360-784-5393
Contractor	WARWICK CONSTRUCTION	Contractor's Phone:	832-448-7000
Type of Improvement:	Alteration	Proposed Use	BUSINESS/OFFICE

Permit #:	2190691	Inside Town Limits	No
Issue date:	7/25/2019	Census tract:	PIN#:
Lot#:	27	Subdivision: WHITECROFT MANOR	Total cost: \$234,000.00
PropAddress:	8536 HURST DR		
Owner's	WILLIAMS & WILLIAMS	Owner's Phone:	919-291-8198
Contractor	WILLIAMS & WILLIAMS	Contractor's Phone:	919-662-4299
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2190720	Inside Town Limits	Yes	
Issue date:	7/10/2019	Census tract:		PIN#: 1720-78-6777
Lot#:		Subdivision:	N/A	Total cost: \$161,996.00
PropAddress:	1025 NORTH GREENFIELD PKWY			
Owner's	ADAM SCHAIBLEY	Owner's Phone:	954-453-5681	
Contractor	CLINE CONTRACTING	Contractor's Phone:	910-616-0414	
Type of Improvement:	Alteration	Proposed Use	BUSINESS/OFFICE	

Permit #:	2190752	Inside Town Limits	Yes	
Issue date:	7/22/2019	Census tract:		PIN#: 1731-40-7760
Lot#:		Subdivision:	AUBURN VILLAGE	Total cost: \$3,000,000.00
PropAddress:	110 CANARY COURT			
Owner's	LENNAR CAROLINAS	Owner's Phone:	919-465-5929	
Contractor	POYTHRESS COMMERCIAL CONTRACTO	Contractor's Phone:	919-388-3884	
Type of Improvement:	New Building	Proposed Use	ASSEMBLY/AMUSEMENT	

Permit #:	2190802	Inside Town Limits	Yes	
Issue date:	7/1/2019	Census tract:		PIN#: 0791-96-8335
Lot#:		Subdivision:	N/A	Total cost: \$150,500.00
PropAddress:	81 RUPERT ROAD			
Owner's	KURT PASQUALE	Owner's Phone:	919-349-0921	
Contractor	RACF LLC	Contractor's Phone:	919-809-6129	
Type of Improvement:	New Building	Proposed Use	BUSINESS/OFFICE	

Permit #:	2190843	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-05-7924
Lot#:	56	Subdivision:	MCCULLERS WALK	Total cost: \$171,814.00
PropAddress:	140 AMBER ACORN AVE			
Owner's	HALLE BUILDING GROUP	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190850	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-16-7324
Lot#:	162	Subdivision:	MCCULLERS WALK	Total cost: \$135,319.00
PropAddress:	301 AMBER ACORN AVENUE			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190851	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-16-7306
Lot#:	163	Subdivision:	MCCULLERS WALK	Total cost: \$131,616.00
PropAddress:	305 AMBER ACORN AVENUE			
Owner's	HALLE			Owner's Phone: 919-387-1885
Contractor	RYAN HOMES			Contractor's Phone: 703-956-4000
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190852	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-16-6398
Lot#:	164	Subdivision:	MCCULLERS WALK	Total cost: \$131,424.00
PropAddress:	309 AMBER ACORN AVENUE			
Owner's	HALLE			Owner's Phone: 919-387-1885
Contractor	RYAN HOMES			Contractor's Phone: 703-956-4000
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190853	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-16-6480
Lot#:	165	Subdivision:	MCCULLERS WALK	Total cost: \$132,152.00
PropAddress:	313 AMBER ACORN AVENUE			
Owner's	HALLE			Owner's Phone: 919-387-1885
Contractor	RYAN HOMES			Contractor's Phone: 703-956-4000
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190854	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 0699-16-6472
Lot#:	166	Subdivision:	MCCULLERS WALK	Total cost: \$133,615.00
PropAddress:	317 AMBER ACORN AVENUE			
Owner's	HALLE			Owner's Phone: 919-387-1885
Contractor	RYAN HOMES			Contractor's Phone: 703-956-4000
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190869	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 1629-15-8165
Lot#:	41	Subdivision:	CLIFFORD GROVE	Total cost: \$142,202.00
PropAddress:	117 SAMBAR DEER LANE			
Owner's	D.R. HORTON INC			Owner's Phone: 919-407-2037
Contractor	D.R. HORTON, INC.			Contractor's Phone: 919-407-2037
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190870	Inside Town Limits	Yes	
Issue date:	7/12/2019	Census tract:		PIN#: 1629-15-9125
Lot#:	40	Subdivision:	CLIFFORD GROVE	Total cost: \$165,800.00
PropAddress:	121 SAMBAR DEER LANE			
Owner's	D.R. HORTON INC	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190872	Inside Town Limits	Yes	
Issue date:	7/16/2019	Census tract:		PIN#: 1730-49-9907
Lot#:	101	Subdivision:	AUBURN VILLAGE	Total cost: \$147,000.00
PropAddress:	181 AUBURN VILLAGE BLVD			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190886	Inside Town Limits	Yes	
Issue date:	7/17/2019	Census tract:		PIN#: 0699-06-8196
Lot#:	83	Subdivision:	MCCULLERS WALK	Total cost: \$156,268.00
PropAddress:	108 INDIGO DUSK WAY			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190887	Inside Town Limits	Yes	
Issue date:	7/17/2019	Census tract:		PIN#: 0699-15-1779
Lot#:	65	Subdivision:	MCCULLERS WALK	Total cost: \$177,762.00
PropAddress:	176 AMBER ACORN AVENUE			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190888	Inside Town Limits	Yes	
Issue date:	7/17/2019	Census tract:		PIN#: 0699-05-8921
Lot#:	58	Subdivision:	MCCULLERS WALK	Total cost: \$152,697.00
PropAddress:	148 AMBER ACORN AVENUE			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190889	Inside Town Limits	Yes	
Issue date:	7/17/2019	Census tract:	PIN#:	0699-05-7973
Lot#:	57	Subdivision:	MCCULLERS WALK	Total cost: \$140,905.00
PropAddress:	144 AMBER ACORN AVENUE			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190893	Inside Town Limits	Yes	
Issue date:	7/22/2019	Census tract:	PIN#:	1609-19-0913
Lot#:	383	Subdivision:	EAGLE RIDGE	Total cost: \$128,458.00
PropAddress:	118 MARAKETCH COURT			
Owner's	DAN RYAN BUILDERS	Owner's Phone:	919-747-4970	
Contractor	DAN RYAN BUILDERS LLC	Contractor's Phone:	919-747-4970	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190909	Inside Town Limits	Yes	
Issue date:	7/22/2019	Census tract:	PIN#:	1629-16-6775
Lot#:		Subdivision:	N/A	Total cost: \$162,707.00
PropAddress:	8300 BRYAN ROAD			
Owner's	BRYAN & LAUREN MORGAN	Owner's Phone:	910-200-0324	
Contractor	OWNER	Contractor's Phone:		
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190912	Inside Town Limits	No	
Issue date:	7/22/2019	Census tract:	PIN#:	1628-17-2306
Lot#:	61	Subdivision:	GLEN CREEK	Total cost: \$291,060.00
PropAddress:	5159 GLEN CREEK TRAIL			
Owner's	BUFFALOE PRESERVE LLC	Owner's Phone:	919-363-4111	
Contractor	ROBUCK HOMES TRIANGLE, LLC	Contractor's Phone:	919-876-9200	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190924	Inside Town Limits	Yes	
Issue date:	7/23/2019	Census tract:	PIN#:	0699-06-8085
Lot#:	81	Subdivision:	MCCULLERS WALK	Total cost: \$150,740.00
PropAddress:	100 INDIGO DUSK WAY			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190925	Inside Town Limits	Yes	
Issue date:	7/23/2019	Census tract:		PIN#: 0699-16-7332
Lot#:	161	Subdivision:	MCCULLERS WALK	Total cost: \$133,522.00
PropAddress:	297 AMBER ACORN AVENUE			
Owner's	HALLE	Owner's Phone:	919-387-1885	
Contractor	RYAN HOMES	Contractor's Phone:	703-956-4000	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2190929	Inside Town Limits	Yes	
Issue date:	7/29/2019	Census tract:		PIN#: 1619-91-7800
Lot#:	95	Subdivision:	OAK PARK	Total cost: \$145,318.00
PropAddress:	129 EDMER LANE			
Owner's	ROYAL OAKS BUILDING GROUP	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190930	Inside Town Limits	Yes	
Issue date:	7/29/2019	Census tract:		PIN#: 1619-91-7931
Lot#:	96	Subdivision:	OAK PARK	Total cost: \$130,252.00
PropAddress:	125 EDMER LANE			
Owner's	ROYAL OAKS BUILDING GROUP LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190932	Inside Town Limits	Yes	
Issue date:	7/23/2019	Census tract:		PIN#: 1629-15-8105
Lot#:	42	Subdivision:	CLIFFORD GROVE	Total cost: \$134,980.00
PropAddress:	113 SAMBAR DEER LANE			
Owner's	D.R. HORTON INC	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190938	Inside Town Limits	Yes	
Issue date:	7/26/2019	Census tract:		PIN#: 1731-40-2517
Lot#:	76	Subdivision:	AUBURN VILLAGE	Total cost: \$140,000.00
PropAddress:	220 IVORY LANE			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190941	Inside Town Limits	Yes	
Issue date:	7/26/2019	Census tract:		PIN#: 1731-40-2563
Lot#:	77	Subdivision:	AUBURN VILLAGE	Total cost: \$138,000.00
PropAddress:	214 IVORY LANE			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190946	Inside Town Limits	Yes	
Issue date:	7/26/2019	Census tract:		PIN#: 1731-50-2426
Lot#:	208	Subdivision:	AUBURN VILLAGE	Total cost: \$147,000.00
PropAddress:	123 AZURE MIST DRIVE			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190952	Inside Town Limits	Yes	
Issue date:	7/26/2019	Census tract:		PIN#: 1619-91-7800
Lot#:	66	Subdivision:	AUBURN VILLAGE	Total cost: \$147,000.00
PropAddress:	213 IVORY LANE			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190953	Inside Town Limits	Yes	
Issue date:	7/26/2019	Census tract:		PIN#: 1731-50-2475
Lot#:	209	Subdivision:	AUBURN VILLAGE	Total cost: \$147,000.00
PropAddress:	129 AZURE MIST DRIVE			
Owner's	CALATLANTIC GROUP INC	Owner's Phone:	919-465-5900	
Contractor	LENNAR CAROLINAS, LLC	Contractor's Phone:	919-466-3314	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190955	Inside Town Limits	Yes	
Issue date:	7/29/2019	Census tract:		PIN#: 1619-91-6404
Lot#:	88	Subdivision:	OAK PARK	Total cost: \$161,239.00
PropAddress:	157 EDMER LANE			
Owner's	ROYAL OAKS BUILDING GROUP	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2190957	Inside Town Limits	Yes		
Issue date:	7/29/2019	Census tract:		PIN#:	1619-91-4511
Lot#:	35	Subdivision:	OAK PARK	Total cost:	\$161,239.00
PropAddress:	156 EDMER LANE				
Owner's	ROYAL OAKS BUILDING GROUP	Owner's Phone:	919-233-3886		
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886		
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN		
Permit #:	2190958	Inside Town Limits	Yes		
Issue date:	7/30/2019	Census tract:		PIN#:	1609-19-3314
Lot#:	395	Subdivision:	EAGLE RIDGE	Total cost:	\$114,579.00
PropAddress:	101 WATERVILLE STREET				
Owner's	DAN RYAN BUILDERS	Owner's Phone:	919-747-4970		
Contractor	DAN RYAN BUILDERS LLC	Contractor's Phone:	919-747-4970		
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN		
Permit #:	2190966	Inside Town Limits	No		
Issue date:	7/26/2019	Census tract:		PIN#:	1628-17-0658
Lot#:		Subdivision:	GLEN CREEK	Total cost:	\$272,636.00
PropAddress:	5000 BLENDON TRAIL				
Owner's	BUFFALOE PRESERVE LLC	Owner's Phone:	919-363-4111		
Contractor	ROBUCK HOMES TRIANGLE, LLC	Contractor's Phone:	919-876-9200		
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN		
Permit #:	2190968	Inside Town Limits	No		
Issue date:	7/26/2019	Census tract:		PIN#:	1701-62-5597
Lot#:		Subdivision:	N/A	Total cost:	\$408,000.00
PropAddress:	5502 SPRING ROAD				
Owner's	LAKE MEDLIN	Owner's Phone:	803-682-2106		
Contractor	SCHUMACHER HOMES	Contractor's Phone:	330-478-4505		
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN		