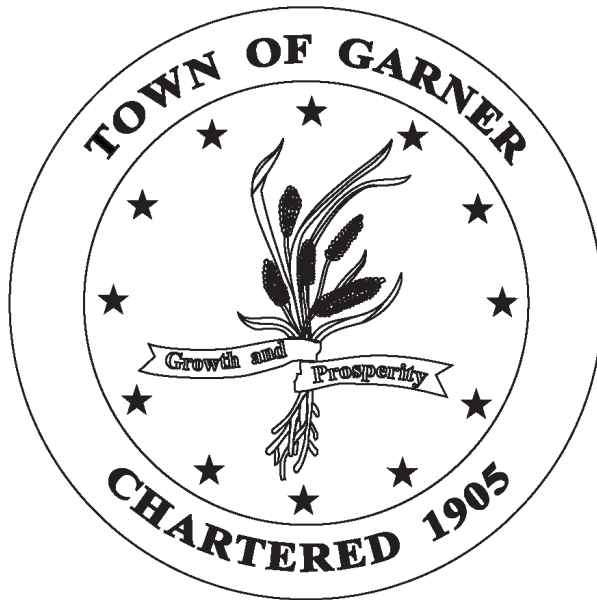


TOWN OF GARNER



Town Council Regular Session

September 22, 2020
7:00 p.m.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

Town of Garner
Town Council Regular Meeting Agenda
September 22, 2020

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

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

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

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

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

- B. PLEDGE OF ALLEGIANCE: Mayor ProTem Behringer

- C. INVOCATION: Mayor ProTem 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 take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

1. GEDC Board Service Presentation
Presenter: Jeff Swain, GEDC Board Chair

GEDC will recognize former directors Ken Marshburn and Ronnie Thompson for their service.

G. CONSENT

- 1. Nuisance Abatements Page 5
Presenter: David Beck, Finance Director

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

Action: Consider approving Resolution (2020) 4079

- 2. Vandora Springs Sidewalks - Contract Amendment #6 (Ramey Kemp & Assoc.) ... Page 8
Presenter: Chris Johnson, Town Engineer

Contract Amendment #6 with Ramey Kemp & Associates for services related to land acquisition phase of project, as well as updating the private utility survey (original utility survey is 4 years old).

Action: Consider approving and authorizing the Manager to execute contract Amendment #6 with Ramey Kemp & Associates.

H. PUBLIC HEARINGS

- 1. CUD-Z-20-02 & CUP-SB-20-02 – Kennedy Ridge 2 Page 12
Presenter: Jeff Triezenberg, Planning Director

Conditional use rezoning (CUD-Z-20-02) and associated conditional use subdivision plan (CUP-SB-20-02) were submitted to develop the site into a townhouse subdivision of 64 units/lots. The applicant is requesting to rezone 16.4 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family 1 Conditional Use (MF-1 C227). Use restrictions and development conditions are proposed. The site is located on the west side of Creech Road and may be further identified as Wake County PIN# 1711-76-8003 & 1711-75-1835.

Action: Consider adoption of Ordinance (2020) 4080

I. NEW/OLD BUSINESS

- 1. Bank Selection for FY21 VERT Financing Page 39
Presenter: David Beck, Finance Director

The fiscal year 2020-21 budget included approval for the purchase of vehicles and equipment as part of the VERT program. The purchases are to be funded through a combination of financing proceeds and appropriations from prior year plan contributions. A request for proposal (RFP) was distributed to over 60 banks and lenders soliciting financing bids. Fourteen responses to the RFP were received with the bid tabulation attached for your review. It is recommended Council select Key Government Finance, Inc. as the lender on this transaction as they offer the lowest overall financing cost.

Action: Consider selecting Key Government Finance as the lending institution & approve Resolution (2020) 2422

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. Garner info

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: September 22, 2020		
Subject: GEDC Board Service Presentation		
Location on Agenda: Presentations		
Department: Economic Development		
Contact: Joe Stallings, Economic Development Director		
Presenter: Jeff Swain, GEDC Board Chair		
Brief Summary: GEDC will recognize former directors Ken Marshburn and Ronnie Thompson for their service.		
Recommended Motion and/or Requested Action: n/a		
Detailed Notes:		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: September 22, 2020		
Subject: Nuisance Abatements		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.		
Recommended Motion and/or Requested Action: Consider adopting Resolution (2020) 4079		
Detailed Notes:		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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

RESOLUTION NO. (2020) 4079

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

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

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

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

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

LOCATION	PROPERTY OWNER(S)	REAL ESTATE ID	COST
100 Baldwin Cr	Tisha Ratliff, Trustee	99179	100.00
108 Bayberry Ln	David Wilkerson	85249	293.26
603 Chapwith Rd	Scott W. Nelson	153097	100.00
1314 Claymore Dr	William Taylor	82762	100.00
111 Johnson St	Patsy H. Lowe	42846	282.32
113 Johnson St	Patsy H. Lowe	42847	282.32
1304 Lakeside Dr	Jerry Bryant	9348	282.32
1113 Northview St	Charles W. Evans	21092	100.00
1121 Northview St	Blue Diamond Investment Group Inc	25557	100.00
1504 US Hwy 70	Garner Hotel LLC	182824	313.26
1611 S. Wade Ave	James Geddie	151047	171.88
108 Olinda Ct	Fasih Ahmed Shaikh Mehboob Jahan Shaikh	59442	100.00
117 Small Pines Dr	USRP Funding 2001-A-LP Brueggers Enterprises Inc.	227713	293.26

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

Duly adopted this the 22nd day of September 2020.

(Town Seal)

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: September 22, 2020		
Subject: Vandora Springs Sidewalks - Contract Amendment #6 (Ramey Kemp & Assoc.)		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
Brief Summary: Contract Amendment #6 with Ramey Kemp & Associates for services related to land acquisition phase of project, as well as updating the private utility survey (original utility survey is 4 years old).		
Recommended Motion and/or Requested Action: Approve and authorize the Manager to execute contract amendment #6 with Ramey Kemp & Associates.		
Detailed Notes: Original contract did not include services for right of way/easement staking during the land acquisition phase. This service would expedite coordination efforts between the Town Attorney and individual property owners along the corridor. This service provides a clear visual relationship between existing rights of way and new right of way/easement areas being acquired by the Town. In addition, the original topographic survey is now 4 years old and staff recommends obtaining another utility locate/survey so the design consultant may confirm whether any new utilities exist along the corridor and incorporate them into the final design drawings.		
Funding Source: Street and Sidewalk Bond Funds		
Cost: \$7,000	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner

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

ENGINEERING DEPARTMENT MEMORANDUM

DATE: September 11, 2020

TO: John Hodges - Assistant Town Manager

FROM: Chris Johnson, PE - Town Engineer

RE: **Vandora Springs Road Sidewalks – Contract Amendment #6 (Ramey Kemp & Assoc)**

The Vandora Springs Road Sidewalk Project is a Town bond project that consists of approximately 1270 LF of road widening and sidewalk installation between Timber Drive and Tiffany Circle. The Town has started the land acquisition phase of work to acquire the required easements along the corridor in advance of construction slated to begin by Spring 2021.

The original contract did not include services for right of way/easement staking during the land acquisition phase. This service would expedite coordination efforts between the Town Attorney and individual property owners along the corridor. This service provides a clear visual relationship between existing rights of way and new right of way/easement areas being acquired by the Town. The staking is a valuable service that helps promote clear communication and understanding for landowners with respect to the roadway/sidewalk project impacts to each property owner.

In addition, the original topographic survey is now 4 years old and staff recommends obtaining another utility locate so the design consultant may confirm whether any new utilities exist along the corridor so they may be addressed in the final design drawings. Based on recent conversations with residents along the corridor it is our understanding that there has been new utility work in the area even over the past few months. Getting this information incorporated into the design would reduce delays and additional costs during the construction phase.

Contract amendment (#6) has been drafted by the Town and RKA to cover the redesign costs associated with this work in an amount not to exceed \$7,000.

STAFF RECOMMENDATION

Approve and authorize the Manager to execute contract amendment #6 with Ramey Kemp & Associates.

CONTRACT AMENDMENT No. 6

This Contract Amendment (the "Amendment") dated the _____ day of _____, 20____ by and between **Ramey Kemp & Associates, Inc.** (the "Company"), and the Town of Garner (the "Owner"), collectively the "Parties".

WHEREAS, the Parties entered into a contract dated November 9, 2016; and

WHEREAS, the Parties entered into Contract Amendment 1 dated January 20, 2017, Contract Amendment 2 dated October 6, 2017, and Contract Amendment 3 dated September 20, 2018; and Contract Amendment 4 dated March 26, 2019; and Contract Amendment 5 dated May 26, 2020; and

WHEREAS, the Parties wish to amend the original contract;

Now, therefore, it is agreed by and between the parties for this Contract Amendment No. 6 to be implemented as set forth below and attached exhibits.

1. SCOPE OF WORK

- A. Construction Staking – Stewart will provide construction staking for the proposed easements and right of way for the 11 parcels as shown on the plans. This work assumes 2 field days to complete. Fee: \$2,970.
- B. Re-staking/refreshing – Stewart will provide re-staking for any missing stakes for up to 4 parcels assuming one trip to the site. Re-staking requests beyond this will be considered additional services and will be billed at an hourly rate. Fee: \$1,625
- C. 811 Design Ticket - It has been approximately 4 years from the original survey and it is recommended that the utilities in the project area be located again to cover any added utilities during this time. Stewart will call 811 to coordinate utility paint markings and locate these markings, which will be added to the base drawing. Fee: \$1,625.

2. TIME OF PERFORMANCE

Time of completion for these efforts will be provided at the most expeditious manner as is practical and will adhere to the project schedule as appropriate and realistic. It should be noted that 811 has 10 working days to respond once tickets are requested.

3. COST OF WORK

- A. Ramey Kemp & Associates – Not to Exceed \$780
- B. Stewart – Not to Exceed \$6,220

Total Cost of Work = \$7,000

All terms and conditions of the original contract remain in full force except for those changes specifically outlined in this contract amendment.

In Witness hereof, the Parties have executed this Agreement as of the date set forth above.

COMPANY

TOWN OF GARNER

Signed:

Signed:

Tre' Dugal

Rodney Dickerson

Director of Design

Town Manager

Witness:

Witness:

Lucas Helms

Stella Gibson

State Design Lead

Town Clerk

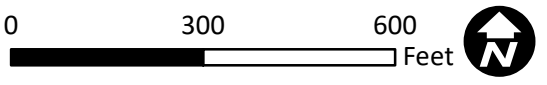
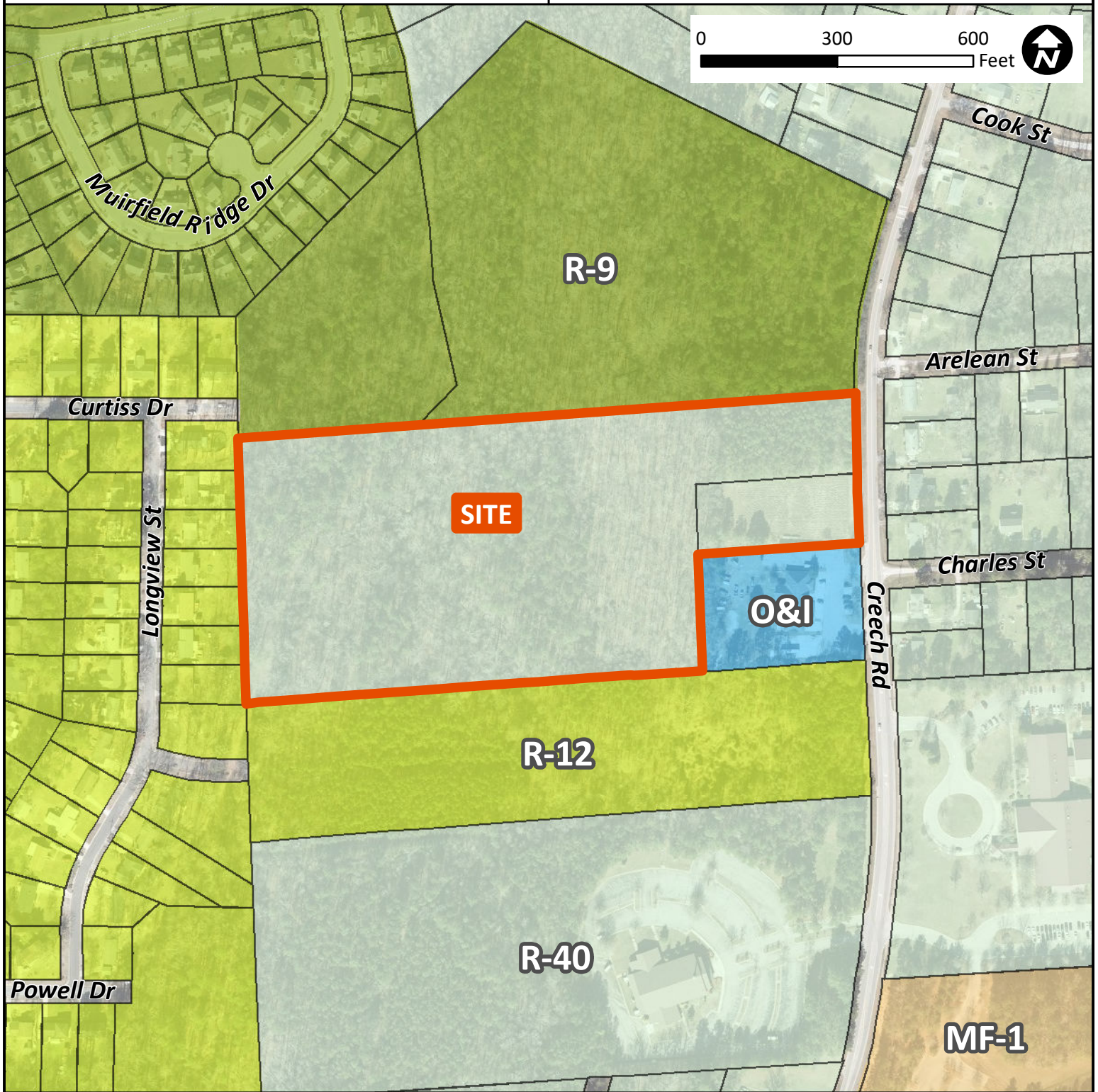
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: September 22, 2020		
Subject: CUD-Z-20-02 & CUP-SB-20-02 – Kennedy Ridge 2		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager and Stacy Griffin, AICP; Principal Planner		
Presenter: Jeff Triezenberg, AICP, GISP, Planning Director		
<p>Brief Summary:</p> <p>Conditional use rezoning (CUD-Z-20-02) and associated conditional use subdivision plan (CUP-SB-20-02) were submitted to develop the site into a townhouse subdivision of 64 units/lots. The applicant is requesting to rezone 16.4 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family 1 Conditional Use (MF-1 C227). Use restrictions and development conditions are proposed. The site is located on the west side of Creech Road and may be further identified as Wake County PIN# 1711-76-8003 & 1711-75-1835.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Consider adoption of Ordinance (2020) 4080</p>		
<p>Detailed Notes:</p> <p>See attached vicinity map and staff report. A neighborhood meeting was required by ordinance and was held on February 19, 2020. Use restrictions and characteristics are voluntarily offered as zoning conditions. Staff recommends approval of CUD-Z-20-02 should the Council find the voluntary zoning conditions satisfactory and finds CUP-SB-20-02 in conformity with the UDO.</p>		
<p>Funding Source: n/a</p>		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> 		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner Planning Department

Conditional Use Rezoning CUD-Z-20-02 & CUP-SB-20-02



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: Townhomes (64 total)
Current Zoning: Residential (R-40)
Proposed Zoning: Multi-Family Conditional (MF-1 C227)
Acreage: 16.4
Overlay: N/A

Planning Department Staff Report

TO: Mayor and Town Council Members

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

SUBJECT: ***Conditional Use Rezoning # CUD-Z-20-02, and
Conditional Use Subdivision # CUP-SB-20-02 – Kennedy Ridge 2***

DATE: September 22, 2020

I. PROJECT AT A GLANCE

Project Number(s): CUD-Z-20-02 Conditional Use Rezoning
CUP-SB-20-02 Conditional Use Subdivision

Applicant: Dan Ryan Builders

Owners: John Bosch Jr Revocable Trust and Charles &
Yolanda Chappell

General Description -

Project Area & Location: 16.4 +/- 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: Multi-family 1 Conditional Use (MF-1 C227)

Proposed Use(s): Townhouses

Overlay: None

Key Meeting Dates:

Planning Commission: August 17, 2020

Public Hearing & Action: September 22, 2020

II. BACKGROUND / REQUEST SUMMARY

Previous Request: This project was submitted originally in 2019 as rezoning CUD-Z-19-03 and subdivision plan CUP-SB-19-01. The applicant requested to rezone 16.4 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family 1 Conditional Use (MF-1 C216). Use restrictions and development conditions were proposed. The proposal was to develop the site into a townhouse subdivision of 64 units/lots. Approximately 10.11 acres were to be developed with 64 townhomes at a gross density of around 6.33 units per acre. The remaining 6.29 acres of the current parcels were not to be developed and reserved by the property owner. The Planning Commission heard this case at their July 15, 2019 meeting and confirmed staff's findings regarding the development plan's compliance with the UDO and also accepted the staff's statement regarding zoning consistency. The rezoning was ultimately denied by the Town Council at their meeting on August 5, 2019.

Article 3.12 H.4 of the UDO states that there is a 1-year waiting period to resubmit a rezoning for the same district when the Council denies a request. The UDO also states in Article 3.12 H.5 that this waiting period may be waived by the Council with a 3/4 vote if they deem it in the public interest. The applicant appeared before Council and requested a waiver to the 1-year waiting period to re-file a rezoning, and the request was granted.

Current Request: On January 31, 2020, a new conditional rezoning (CUD-Z-20-02) and associated subdivision plan (CUP-SB-20-02) were submitted to develop the site into a townhouse subdivision of 64 units/lots. The applicant is requesting to rezone 16.4 +/- acres from Single-Family Residential 40 (R-40) to Multi-Family 1 Conditional Use (MF-1 C227). Use restrictions and development conditions are proposed. Under this proposal, all 16.4 acres would again be rezoned. Out of this total, approximately 12.80 acres would be developed with 64 townhomes at a gross density of 5 units per acre; a gross density that is now consistent with the Town's adopted future land use map. The remaining 3.66 acres would not be developed as part of this project and would be reserved by the property owner. The project site has been modified to include more open space (1.39 acres previous, 4.04 acres now), improved aesthetics, windows on the side elevations, and a landscaped berm. With the additional open space and riparian buffers, there is a minimum 120-foot undisturbed buffer between the developed/developable area and the abutting 7 homes in the School Acres subdivision. 5 of 7 homes will have a buffer of more than 200 feet.



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 functions as a holding zone until public utilities may be brought to a site but does allow single-family lots of at least 40,000 square feet (0.91 acres) where individual well and septic systems may be used as well as uses more typical of rural areas. Gross maximum density is approximately 1.08 units per acre in R-40 districts which translates into approximately 12 dwelling units on the 16.4-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 | 13. Cemetery |
| 2. Residential Cluster | 14. Public parks, swimming pools, tennis and golf courses |
| 3. Manufactured Class A homes | 15. Religious institutions |
| 4. Family Care home | 16. Minor utility—elevated water tank |
| 5. Group care home | 17. Solar Farms |
| 6. Intermediate care home | 18. Telecommunications Tower |
| 7. Community center | 19. Other Major Utility |
| 8. Civic Lodge | 20. Private golf course or country club |
| 9. Child day care up to 3 as home occupation | 21. Horse Stables |
| 10. Family child day care up to 8 in home | 22. Bed and breakfast |
| 11. School public or private | 23. Agriculture or silviculture |
| 12. Public safety facilities (fire, police, rescue, ambulance) | |

Proposed: The proposed zoning of the 16.4-acre site is **Multifamily 1 Conditional Use (MF-1 C227)**. The MF-1 zoning district is designed to create and maintain residential neighborhoods composed primarily of multifamily building types. The MF-1 District allows approximately 9.35 units per acre. The proposed townhouse density for this project is 5 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 | 8. Intermediate Care Home |
| 2. Two-Family Dwelling | 9. Community Center (SUP) |
| 3. Townhouse | 10. Other Community Service (SUP) |
| 4. Condominium | 11. Child Day Care (up to 3 as home occupation) |
| 5. Multifamily (triplex and higher, including apartment) | 12. School, Public or Private (SUP) |
| 6. Family Care Home | 13. Ambulance Service, Police or Fire Station (SUP) |
| 7. Group Care Home | |

- 14. Continuing Care, Retirement Facility (SUP)
- 15. Hospice
- 16. Cemetery
- 17. Public Park, Swimming Pool, Tennis Court, Golf Course (SUP)

- 18. Religious Institution
- 19. Minor Utility, Elevated Water Storage Tank
- 20. Golf Course or Country Club, Private (SUP)
- 21. Bed and Breakfast (SUP)

The following conditions are proposed:

- 1. Permitted use table:

Use Category	Specific Use	MF-1 C227
Household Living	Townhouse	P*
	Condominium	P*
	Residential cluster	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 and 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 at least a 1-car garage.
- 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 façade: (a) board and batten; (b) horizontal lap siding; and/or (c) shake siding.
- 8. Each Townhouse Group (which is defined as a building containing 4-6 townhouse units) shall include at least two (2) units which incorporate the use of some masonry materials (stone veneer, stone, brick, etc.) on the street facing front facades. No consecutive units’ facades will be built without some masonry or stone veneer. In building groups consisting of 5 or more units, a minimum of 40% of the units will utilize some masonry elements on the street facing front façade.
- 9. So that they do not present a large-mass or blank-wall of siding, end-units’ street facing side elevations shall include at least three (3) windows.
- 10. Each townhome unit’s front door shall utilize a choice or combination of glass sidelights, door glazing, or transom.
- 11. A 3-foot [tall] landscaped berm, measured from the right-of-way, shall be provided along the project’s frontage on both sides of the main entrance and only where grading is applicable.

12. No consecutive units within a building group will utilize an open gable style roof.

13. Each unit shall provide a minimum of a 16-square-foot rear patio/porch.

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
CUD-Z-19-03	Dan Ryan Builders	Creech Road	R-40 to MF-1 C216 (denied August 5, 2019)

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: The project will have about 330 feet of frontage on Creech Road. According to NCDOT traffic count data, Creech Road has had a range of 4,500 to 4,900 average daily trips over the past 10 years of available data:

- Year 2009 4,900
- Year 2011 N/A
- Year 2013 4,500
- Year 2015 4,500
- Year 2017 4,700

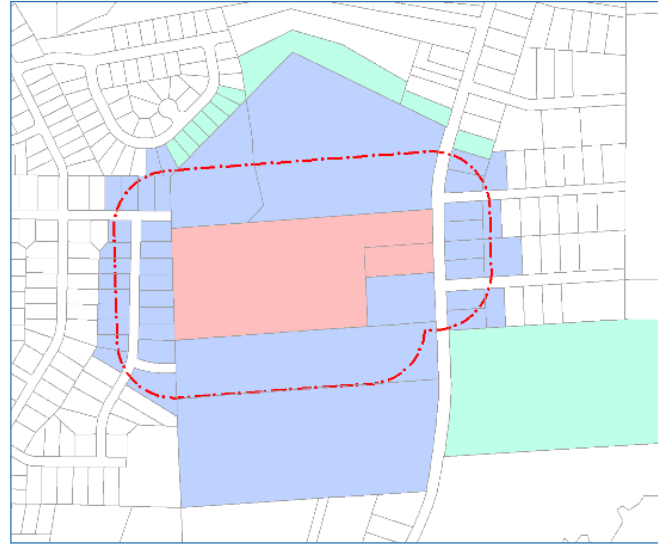
A Traffic Impact Analysis (TIA) was not required by the Town as the development is proposing fewer than 75 units, and therefore does not trigger a TIA. However, a dedicated left-turn lane from northbound Creech Road into the site will be required due to the daily traffic count. Additionally, the development will dedicate approximately 7 feet of additional right-of-way, add approximately 11.5 feet of additional pavement, and install curb, gutter and sidewalk on the west side of Creech Road to help achieve the ultimate section for Creech Road, which is a Town of Garner Major Collector.

In examining the relationship between future land use and future road capacity, Town staff is investigating what methods may be available to provide additional context; however, at a very high level, it should be noted that the consulting team for Garner Forward did evaluate this relationship which resulted in some land use plan modifications where the capacity of the future road system showed signs of stress.

The segment of Creech Road between the major intersections of Sanderford Road and Garner Road will ultimately accommodate approximately 18,000 vehicle trip per day as a two-lane facility with dedicated turn lanes, and contains approximately 500 acres of land that may be developed as medium-density residential. If one were to assume that 25% of that acreage would be developed as townhomes and 75% as single-family detached, this crude analysis would result in the following:

	Acres	DU/acre (from proposed projects)	Trips/DU	Total New Trips
SF Detached	375	2.6	9.44	9,223
Townhouses	125	5.0	7.32	4,582
				13,805

Neighborhood Meeting: Staff identified 63 properties (57 after removing exact duplicates) within the notification radius as shown at right and provided the list below to the applicant for first class mailed notices. As of the time of the meeting, three (3) notices had been returned as undeliverable.



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

The neighborhood meeting was held on February 19, 2020 at the Garner Senior Center with approximately 15 neighbors in attendance – in red print in the table below.

OWNER	ADDR1	ADDR2
WATSON, DAVID E WATSON, THERESA K	102 ARELEAN ST	GARNER NC 27529-2902
GILL, HUBERT S GILL, SUE K III	114 BROUGHTON ST	GARNER NC 27529-3006
ROMERO, KIRSTEN BRIAN ROMERO, ANTONIO DANIEL	154 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
DAVIS, JEWEL B	160 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
WOODS, MEGAN E	166 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
EVANS, RARCHELLE DENISE	172 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
MARTON, DAVID J	178 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
PETRACCHI, TARA ANN BROWN, SHANNA	184 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
JUDD, JOYCE ANN	190 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
MOORE, CANDICE	196 MUIRFIELD RIDGE DR	GARNER NC 27529-2884
GALVAN, CESAREO	2009 RIVERDALE RD	CLAYTON NC 27527-7550
OSEGUEDA, ENRIQUE MEZA RODRIGUEZ, ANGELICA HERNANDEZ	202 MUIRFIELD RIDGE DR	GARNER NC 27529-2894
MCNAMARA, CHRISTOPHER G	208 MUIRFIELD RIDGE DR	GARNER NC 27529-2894
KRAWCZYK, DANIELL KRAMER, SARAH	214 MUIRFIELD RIDGE DR	GARNER NC 27529-2894
MOHLER INVESTMENTS LLC	2148 RIM RD STE 107	FAYETTEVILLE NC 28314-6590
SCHOEN, MARIA T SCHOEN, ROBERT W	220 MUIRFIELD RIDGE DR	GARNER NC 27529-2894
RAINES, KIM	226 MUIRFIELD RIDGE DR	GARNER NC 27529-2894
CORTEZ, MIXAEL	344 SUMMIT AVE	RALEIGH NC 27603-2352
SOLID ROCK MINISTRY INTERNATIONAL	401 CREECH RD	GARNER NC 27529-2907
SOLID ROCK MINISTRY INTERNATIONAL INC	401 CREECH RD	GARNER NC 27529-2907
JEFFERSON, PHILLIP H	406 LONGVIEW ST	GARNER NC 27529-3146
JONES, BRENDA H NEELY, RAMONA H	407 LONGVIEW ST	GARNER NC 27529-3145
FARRELL, PETER L	408 LONGVIEW ST	GARNER NC 27529-3146
HOLTON, TIMOTHY A SIKKINK, ANNAKA V	411 LONGVIEW ST	GARNER NC 27529-3145

OWNER	ADDR1	ADDR2
TAWWAB, KALEEMA	425 FOWLKES ST	WENDELL NC 27591-7763
LEE, JOSEPH I IV	4630 INWOOD RD	RALEIGH NC 27603-3997
ROBERTS, GLORIA	500 LONGVIEW ST	GARNER NC 27529-3148
BRIDGERS, ERNEST M III BRIDGERS, CAROL A	501 LONGVIEW ST	GARNER NC 27529-3147
WHITFIELD, ROSS L WHITFIELD, MARY A	503 LONGVIEW ST	GARNER NC 27529-3147
CLACK, RONNIE G CLACK, JANET S	504 CREECH RD	GARNER NC 27529-2910
CLACK, RONNIE GENE CLACK, JANET S	504 CREECH RD	GARNER NC 27529-2910
WOODALL, STEPHEN RAY	504 LONGVIEW ST	GARNER NC 27529-3148
SHAW, SARAH D	505 LONGVIEW ST	GARNER NC 27529-3147
STRATTON, RODNEY	506 LONGVIEW ST	GARNER NC 27529-3148
CRADDOCK, PAYTON W CRADDOCK, JENNA L	507 LONGVIEW ST	GARNER NC 27529-3147
MASSEY, JEFFREY BRYANT	508 CURTISS DR	GARNER NC 27529-2802
REYES, ABAT MARQUEZ RODRIQUEZ, CAMELIA TEREZ	508 LONGVIEW ST	GARNER NC 27529-3148
NEWMAYER, ROBERT FORREST	509 LONGVIEW ST	GARNER NC 27529-3147
JACKSON, BENJAMIN A JACKSON, APRIL O	510 CURTISS DR	GARNER NC 27529-2802
WEAVER, CHRISTOPHER L WEAVER, ANGELA W	510 LONGVIEW ST	GARNER NC 27529-3148
ROBERTSON, JOSEPH	511 LONGVIEW ST	GARNER NC 27529-3147
THOMPSON, KENNETH H	512 LONGVIEW ST	GARNER NC 27529-3148
TRAN, LOC PHUOC TRAN, PHUONG THAO T	5301 PELICAN POST CT	RALEIGH NC 27604-1278
SANDERS, CODIE SANDERS, SHARON	600 CREECH RD	GARNER NC 27529-2912
BOWERS, DETINE L	600 CURTISS DR	GARNER NC 27529-2804
GODBOALT, HELEN M	602 CURTISS DR	GARNER NC 27529-2804
LILLIAN R COOPER, LLC	603 CURTISS DR	GARNER NC 27529-2803
SOLES, JUDY W	606 CREECH RD	GARNER NC 27529-2912
COOK, HAZEL PEARCE	707 CREECH RD	GARNER NC 27529-2913
CHAPPELL, CHARLES A CHAPPELL, YOLANDA W	840 PARKRIDGE DR	CLAYTON NC 27527-5312
JOHN C BOSCH JR REVOCABLE TRUST	8525 KEMPTON RD	RALEIGH NC 27615-1916
CRESPO, LUIS	95 HARDING AVE	DOVER NJ 07801-4728
BRIGGS, LINDA	9524 NC HIGHWAY 42	HOLLY SPRINGS NC 27540-8005
JKB COMMERCIAL LLC	JKB PROPERTIES	3622 SHANNON RD STE 104
WOODALL, MABEL D	PO BOX 391	GARNER NC 27529-0391
WAKE COUNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD

The meeting was hosted by:

- Ms. Beth Blackmon, Timmons Group;
- Mr. Keith Roberts, Timmons Group;
- Mr. Trevor Dalton, Dan Ryan Builders; and
- Mr. Jay Colvin, Day Ryan Builders.

Questions and answers are listed below.

1. Question about future development area next to Solid Rock Church parcel.
Applicant Response: explanation of permanent open space & future development area.
2. Explanation of waiver on time period limit between rezoning application submittal.
Applicant Response: waiver was requested with additional zoning conditions and adding additional open space area in the rear.
3. Do units have garages?
Applicant Response: They have 1 car garages, 1570 sf base size with some options. Second car in the driveway. Sometimes offer a double driveway as an option.
4. Only 1 entrance in & out?
Applicant Response: at this time, stubs are provided, neighborhood to north has been approved & when built it would provide two accesses to Creech Road but no connection to Curtiss Drive
5. How many trips in & out of one entrance?
Applicant Response: less than 75 units does not trigger a second entrance and unit count doesn't trigger a TIA, turn lanes are required because of daily traffic count.
6. Waterline location in edge of road, does it have to be moved?
Applicant Response: No, waterline can go in pavement.
7. Understand we need new houses, but why so much in one location?
Applicant Response: Development has changed from large lots, no open space, no parks (urban sprawl) to small lots with open space development and higher density.
8. Grading on Creech Rd & site runoff.
Applicant Response: Street grading will be corrected as needed to accommodate super-elevation and keep storm drainage from overflowing ditch.
9. Open space location?
Applicant Response: Showed on map where the open space was located and stream buffers on future development area.
10. What changed?
Applicant Response: More open space, some hardiplank siding, windows in side elevations, landscaping along Creech Rd.
11. Who is the buyer?
Applicant Response: Single professional, couples, retirees, small families not typically large families - maintenance included.
12. Height of building & construction timeline.
Applicant Response: 35' to ridge, 36 months would be shortest from start of construction to last closing.
13. Why choose this so close to Old Garner Road townhomes?
Applicant Response: close location to Raleigh, Amazon & jobs, shopping - Garner is underserved by housing so people live further out and drive thru or commute because housing is in Johnston County & further out, Garner Forward designates this as a 5 dwelling units per acre.

14. Can street lights be improved to match downtown Garner, create a gateway into Garner?

Applicant Response: Berm & streetscape along Creech Rd added, lights will meet town requirements.

15. Any thought about mixing in larger units with 2 car garages?

Applicant Response: That is not as good of a fit for this site, the site is challenging to development and will be costly.

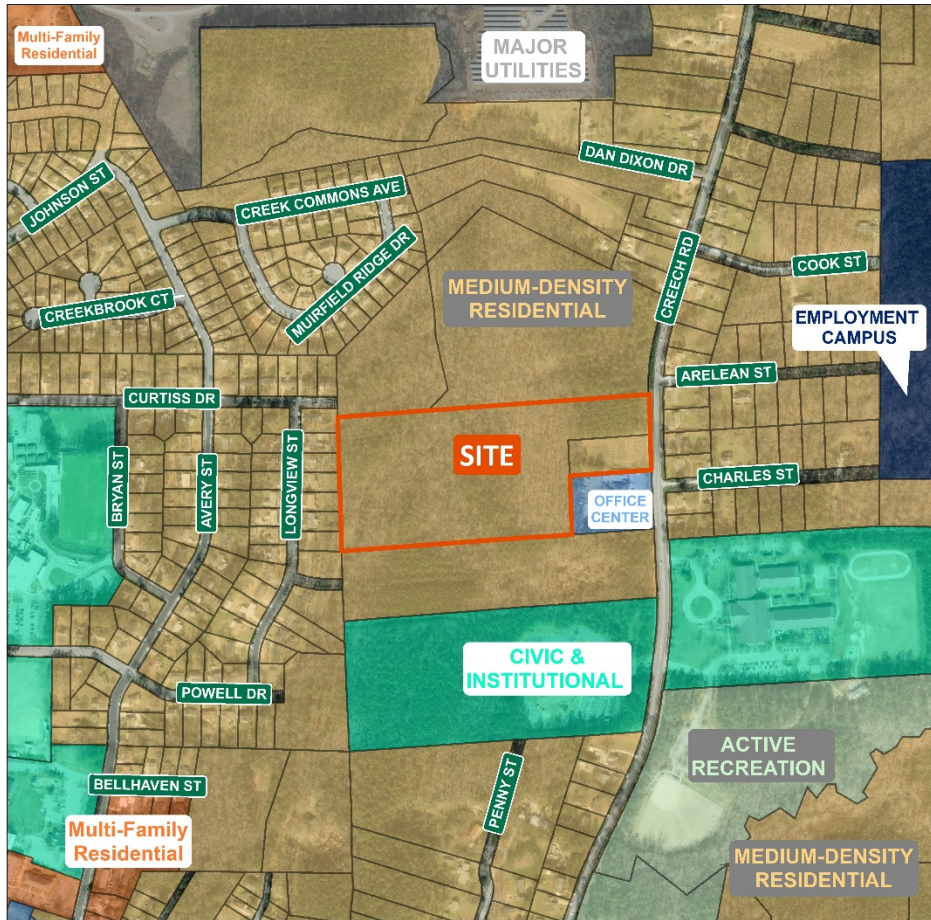
V. ANALYSIS AND STATEMENT OF ZONING CONSISTENCY WITH THE COMPREHENSIVE PLAN

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. Consistency with the land use map and possible justifications for reasonableness of the request 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 guiding principles and recommendations for living spaces and housing are found on pages 61 – 68. Staff offers that the request is reasonable in that it may be found to advance the following:

1. “Garner recognizes that its housing stock is aging and that it could be more diverse to attract younger residents and retain older ones” (p.63). This zone provides exterior maintenance-free choices for owners and low yard maintenance in an area not yet featuring many townhouse choices.
2. “The younger and older residents – ‘Millennials’ and ‘Boomers’ respectively – share many of the same desires in a living space: proximity to shopping and services; an appreciation for greenways; and fun places to gather” (p. 63). As Crech Road develops, this zone will be within a half mile of an elementary school, a middle school and the Garner Recreation Park. Other destinations along Garner Road are within a mile.
3. “Mixing housing types within a development allows the proposed townhomes and single-family detached homes to live compatibly as they are clustered and share similar design characteristics” (p. 63). While this development alone does not mix housing types, this zone would introduce townhomes adjacent to recently approved

single-family lot subdivision (Ashton Forest), providing a wider mix of housing options in north Garner.

Keeping Our Character

The guiding principles and recommendations for keeping our character are found on pages 55 - 58. Staff offers that the request is reasonable in that it may be found to advance the following:

1. "Promote open spaces and natural features such as major trees, streams, hills and woodlands" (p. 56). This zone will provide for approximately 4 acres of preserved open space around some environmentally sensitive tributaries of Big Branch creek. With the additional open space and riparian buffers, there is a minimum 120-foot undisturbed buffer between the developed/developable area and the abutting 7 homes in the School Acres subdivision. 5 of 7 homes will have a buffer of more than 200 feet.

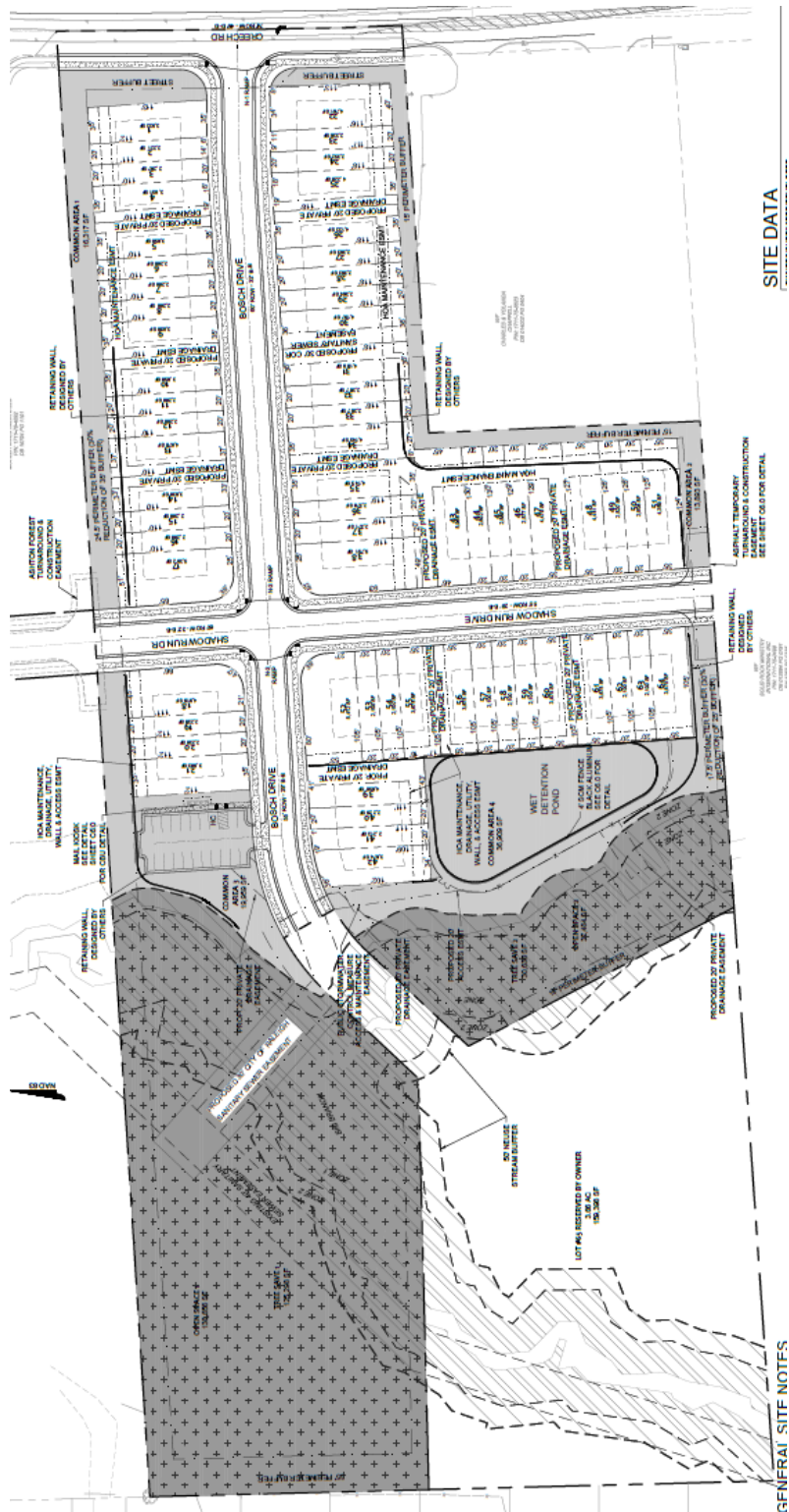
Zoning Consistency Statement: Based on the preceding, Town staff offers that the requested rezoning from R-40 to MF-1 C227 for 64 dwelling units at an overall build-out gross density of 5.00 units/acre is consistent with the 2018 Garner Forward Comprehensive Plan's Future Land Use Map designation of **Medium Density (MDR)**.

In addition, staff offers that this request is reasonable in that it advances several of the Plan's guiding principles for living spaces and keeping our character. Staff is supportive of a recommendation finding this request for a Planned Residential Development Conditional Use (PRD C11) zoning district consistent with the Garner Forward Comprehensive Plan so long as the Town Council is satisfied with the voluntary zoning conditions offered up by the applicant.

VI. SUBDIVISION PROJECT DATA

Acreage: 16.499 acres with 12.8 acres 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 21.8% of the 12.8 acres to be developed at this time.
- **Street Buffers:** Street trees are provided every 40 feet as required.

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% (1.28 acres)
- Proposed: 31.6% (4.04 acres)

Open space consisting of riparian buffers and tree save areas 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.

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.

Infrastructure: ***Stormwater Management*** – Kennedy Ridge Townhomes is a multifamily development site that is not located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen as well as water quantity requirements for the 1, 10 and 25 year storm events. This development plan proposes a stormwater wet retention pond to treat impervious surface for nitrogen and water quantity requirements to ensure stormwater requirement are met as part of this development. A nitrogen offset payment will also be required as part of this development.

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 – Kennedy Ridge is a proposed multi-family development located on the west side of Creech Road, approximately 2/3 mile north of Garner Road. The site contains approximately 330 linear feet of frontage along Creech Road. The ultimate section of Creech Road is a Town of Garner Major Collector, which contains three traffic lanes and a bike lane, curb, gutter, and sidewalk on both sides. To achieve this, the development will dedicate approximately 7 feet of additional right-of-way, add approximately 11.5 feet of additional pavement, and install curb, gutter, and sidewalk on the west side of Creech Road.

Internal to the site, one east-west road (Bosch Drive) and one north-south road (Shadow Run Drive) will be provided. A buffered stream runs near the western property line. Bosch Drive will be constructed up to the buffer edge and a fee-in-lieu will be provided for half of the crossing. Shadow Run Drive will stub to the south for a connection with future development which will be required to feature an east-west connection to an un-named road stub, and will also connect to the north to Ashton Forest Subdivision, which was recently approved by the Town.

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 specific to this site; however, there is a greenway/side path corridor mapped nearby through Ashton Forest to follow Curtiss Drive and Longview Street. Currently, 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 receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
2. Prior to recordation of the first final plat:
 - a. a voluntary annexation petition for the for the entire project site shall be filed with the Garner Planning Department; and
 - b. documents establishing a Homeowner's Association and restrictive covenants shall be submitted to the Garner Planning Director for review;
3. Prior to issuance of the first building permit:
 - a. all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department; and
 - b. the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank;
4. Prior to the issuance of each building permit, a fee-in-lieu of park land dedication shall be paid to the Town of Garner; and
5. The developer shall be responsible for all roadway improvements required by NCDOT.

VIII. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed this request at their August 17, 2020 meeting. By a 3-1 vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SB-20-02, Kennedy Ridge, is in conformity with adopted town plans and policies. The Commission further accepted staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommended approval of CUD-Z-20-02 to the Town Council by a 3-1 vote. Draft minutes of the meeting are available for consultation concerning the zoning motion and discussion.

CUD-Z-20-02 – 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. (2020) 4080 approving rezoning request CUD-Z-20-02 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 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.
- Allow for the conservation and preservation of natural features and green space to promote recreation opportunities.
- 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-20-02.”

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 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.
- Allow for the conservation and preservation of natural features and green space to promote recreation opportunities.
- Provide your own reason:

and therefore, I move further that the Town Council adopt Ordinance No. (2020) 4080 approving rezoning request number CUD-Z-20-02.

CUP SB 20-02 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 Town plans and ordinances and Approve:

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

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

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

“I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-20-02, Kennedy Ridge, with the five conditions to be listed on the permit that will be prepared by Staff.”

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

- adjoining property,
- the existing natural and man-made features of the site,
- off-site and on-site traffic flow,
- public utilities,
- such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development *(enumerate plan services/goals):*

Condition #1:

Condition #2, etc.:

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

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

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

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

and therefore, deny Conditional Use Subdivision Kennedy Ridge – CUP-SB-20-02.

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

ORDINANCE NO. (2020) 4080

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; and

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-20-02 (C227)*.

Section 2. There is hereby created a new conditional use zoning district, to be known as the Multi-Family Conditional Use (MF-1 C227); within this district, all of the regulations that apply to property within the Multi-Family Conditional Use (MF-1 C227) 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 uses and conditions are proposed:

1. Permitted use table:

Use Category	Specific Use	MF-1 C227
Household Living	Townhouse	P*
	Condominium	P*
	Residential cluster	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 and 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 at least a 1-car garage.
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 façade: (a) board and batten; (b) horizontal lap siding; and/or (c) shake siding.
8. Each Townhouse Group (which is defined as a building containing 4-6 townhouse units) shall include at least two (2) units which incorporate the use of some masonry materials (stone veneer, stone, brick, etc.) on the street facing front facades. No consecutive units’ facades will be built without some masonry or stone veneer. In building groups consisting of 5 or more units, a minimum of 40% of the units will utilize some masonry elements on the street facing front façade.
9. So that they do not present a large-mass or blank-wall of siding, end-units’ street facing side elevations shall include at least three (3) windows.
10. Each townhome unit’s front door shall utilize a choice or combination of glass sidelights, door glazing, or transom.
11. A 3-foot [tall] landscaped berm, measured from the right-of-way, shall be provided along the project’s frontage on both sides of the main entrance and only where grading is applicable.
12. No consecutive units within a building group will utilize an open gable style roof.
13. Each unit shall provide a minimum of a 16-square-foot rear patio/porch.

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	Single-Family Residential (R-40)	Multi-family 1 Conditional Use (MF-1 C227)

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 22nd day of September 2020.

Ken Marshburn, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: September 22, 2020		
Subject: VERT Financing		
Location on Agenda: Old/New Business		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: The fiscal year 2020-21 budget included approval for the purchase of vehicles and equipment as part of the VERT program. The purchases are to be funded through a combination of financing proceeds and appropriations from prior year plan contributions. A request for proposal (RFP) was distributed to over 60 banks and lenders soliciting financing bids. Fourteen responses to the RFP were received with the bid tabulation attached for your review. It is recommended Council select Key Government Finance, Inc. as the lender on this transaction as they offer the lowest overall financing cost.		
Recommended Motion and/or Requested Action: Select Key Government Finance as the lending institution & approve Resolution (2020) 2422		
Detailed Notes: Key Government Finance, Inc. Proposal Highlights: Amount: \$927,692 Interest Rate: 1.093% Term: 4 years Prepayment Provision: No penalty Total Financing Cost: \$952,778.19		
Funding Source: Funds will be budgeted in future years, first debt service payment will not be due until FY 2021-22		
Cost: \$952,778.19	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2020) 2422

RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Town of Garner, NC (“Borrower”) has previously determined to undertake a project for the financing of vehicles and equipment (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Key Government Finance, Inc. (“Lender”) in accordance with the proposal dated September 4, 2020. The amount financed shall not exceed \$927,692.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.093%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document’s final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Borrower has previously adopted a declaration of official intent to reimburse expenditures of the Project. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower’s general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Duly adopted this 22nd day of September 2020.

Ken Marshburn, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

SEAL

Town of Garner
Bid Tabulation
Financing for Vehicles & Related Equipment (VERT)
September 22, 2020

	<u>Key GF</u>	<u>Providence</u>	<u>United</u>	<u>First Bank</u>	<u>KS State</u>	<u>US Bank</u>	<u>United Financial</u>
Amount Financed	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00
Rate	1.093%	2.600%	2.050%	1.890%	2.530%	1.120%	1.100%
Term	4 years	4 years	4 years	4 years	4 years	4 years	4 years
Fees	\$0.00	\$370.00	\$970.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Borrowing Cost	\$952,778.19	\$990,199.48	\$977,146.94	\$971,935.77	\$986,492.48	\$953,401.19	\$953,083.76
Prepayment Penalty	None	None	None	None	None	3%	2.50%
Proposal Expiration	10/26/20	11/30/20	09/22/20	10/30/20	10/15/20	11/21/20	10/04/20

	<u>Zions Bank</u>	<u>First Citizens</u>	<u>Truist</u>	<u>Regions</u>	<u>PNC</u>	<u>MLC</u>	<u>KS Bank</u>
Amount Financed	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00	\$927,692.00
Rate	1.390%	1.330%	1.180%	2.1656%	1.850%	1.946%	1.920%
Term	4 years	4 years	4 years	4 years	4 years	4 years	4 years
Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$251.00	\$1.00	\$250.00
Total Borrowing Cost	\$959,659.56	\$958,252.15	\$954,940.92	\$978,239.67	\$971,241.96	\$973,105.28	\$972,203.99
Prepayment Penalty	None	None	None	None	3%	1%	None
Proposal Expiration	11/03/20	10/17/20	10/20/20	10/30/20	10/02/20	10/18/20	11/02/20



Town of Garner

900 7th Avenue, Garner, North Carolina 27529
Phone (919) 773-4412 Fax (919) 662-8874 www.GarnerNC.gov

August 20, 2020

Request for Proposal - Installment Purchase Financing of Various Vehicles & Equipment

The Town of Garner, North Carolina ("Town") desires to enter into a financing agreement pursuant to N.C.G.S. §160A-20 in the principal amount not to exceed \$927,692 for the purpose of financing the cost of the equipment described below. The Town is soliciting your proposal to provide the necessary financing for this equipment, subject to the terms and conditions set forth in this Request for Proposal.

A. Pertinent Information

The equipment ("Equipment") consists of eight (8) police vehicles, one (1) dump truck, one (1) backhoe, two (2) 4x4 crew cab trucks, one (1) work truck with service body, one (1) zero turn mower, one (1) enclosed trailer, one (1) Air Tow trailer, one (1) ABI outfield machine, two (2) Ventrac tractors, and related equipment to outfit the vehicles.

The Town is currently rated Aa1 by Moody's and AAA by Standard & Poor's.

The financing will be bank qualified.

The Town expects to obtain Town Council approval of the financing agreement on September 22, 2020.

B. Contract Specifications

1. The desired amount of the financing is not to exceed \$927,692.
2. The desired term of the financing is four (4) years.
3. Principal and interest installment payments are to be paid annually commencing October 1, 2021.
4. The interest rate(s) shall be fixed for the term.
5. The interest rate(s) proposed must be guaranteed for at least forty-five (45) days. The Town desires to close the transaction by mid-October 2020.
6. Prepayment terms will be negotiated between the Town and the successful bidder. The Town desires prepayment of principal at any time without penalty.
7. Closing of the financial agreement is subject to the conditions of final approval from the Town Council and completion of acceptable documentation. The Town and the Bank intend that this proposal, if signed and dated on the same date as shown on the proposal, will establish the first date there is a written agreement between the parties to complete the financing, in order to establish the "sale date" for the transaction as provided in the Internal Revenue Code and related regulations.
8. The Town's obligations under the financing agreement will be secured by a deed of trust or security interest in all or a portion of the equipment being financed as negotiated between the Town and the successful bidder. No deficiency judgment may be rendered against the Town for breach of a contractual obligation under the Financing Agreement, and the taxing power of the Town will not be pledged to secure repayment thereunder.

9. The Financing Agreement must not contain a non-substitution clause and there must be a non-appropriation clause in the financing agreement.

C. Submission of Proposal

Two copies of your proposal must be received by 12:00 p.m. EST on September 4, 2020 at the offices of David C. Beck, Finance Director, 900 7th Avenue, Garner, NC 27529. You may also submit your proposal via fax at 919-662-8874 or by email at dbeck@garnernc.gov. Email is the preferred method of submission.

Proposals must specify at a minimum the following information.

1. The term of the financing.
2. The interest rate.
3. The terms of repayment. Please attach a sample debt service schedule.
4. Proposed terms for optional prepayment. Please also state whether you would allow a prepayment without penalty from excess proceeds.
5. A list of all additional costs to be associated with this transaction, including origination or placement fees, escrow fees, counsel fees and expenses. State whether any of such fees or expenses will be capped.
6. A statement to the effect that the bank agrees to the contract specifications set forth in Part B of this Request for Proposal.
7. Proposed collateral to secure financing and the method for creating the lien or security interest in such collateral.
8. Bids should be based on gross funding of the Equipment (without consideration of investment earnings).
9. An estimated amortization schedule.

The Town reserves the right to request additional information from the bidders and reserves the right to reject all proposals and to waive any irregularity or informality. Although the selection will be based substantially on lowest total financing cost (including both interest cost and upfront fees or expenses), the Town reserves the right to select the bidder that best meet the needs of the Town.

If further information is needed or if you have any questions regarding this Request for Proposal, please contact David C. Beck.

Thank you in advance for your consideration of this proposal.

Sincerely,

David C. Beck
Finance Director
Town of Garner



Town of Garner, North Carolina

\$927,692.00 Lease-Purchase Financing Summary of Terms and Conditions September 4, 2020

This proposal and its terms are submitted on a confidential basis and shall not be disclosed to third parties (other than the Lessee's officers, directors, employees and advisors charged with reviewing and/or implementing the transactions contemplated hereby) without KGF's consent. This proposal is intended as an outline of certain material terms of the Lease and does not purport to summarize all the conditions, covenants, representations, warranties and other provisions which would be contained in definitive documentation for the Lease contemplated hereby. Among other things, the financing contemplated by this term sheet is subject to the execution and delivery of all appropriate documents (in form and substance satisfactory to Lessor) and Lessor's legal counsel review.

Key Government Finance, Inc. ("Lessor") is pleased to provide the following term sheet to the Town of Garner, North Carolina

- Lessor:** Key Government Finance, Inc. ("Lessor").
- Lessee:** Town of Garner, North Carolina ("Lessee").
- Lease:** Tax-Exempt Lease-Purchase Agreement ("Lease").
- Bank Treatment:** Bank Qualified.
- Amount:** \$927,692.00
- Purpose:** The financing will be used to finance the purchase of eight (8) police vehicles, one (1) dump truck, one (1) backhoe, two (2) 4x4 crew cab trucks, one (1) work truck with service body, one (1) zero turn mower, one (1) enclosed trailer, one (1) Air Tow trailer, one (1) ABI outfield machine, two (2) Ventrac tractors, and related equipment to outfit the vehicles.
- Closing Date:** Estimated - October 15, 2020 ("Anticipated Closing Date").
- Security Interest:** Lessee will grant Lessor a first priority security interest in the Equipment, title to the Equipment will remain with Lessee.
- Repayment:** Principal and interest installment payments are to be paid annually commencing October 1, 2021 thru October 01, 2024 ("Final Maturity"). See sample amortization below.

Fixed Interest Rate: The fixed interest rate is 1.093%. The fixed interest rate quoted in this Proposal was calculated based on the KeyCorp Cost of Funds Index (the "Index") as of September 04, 2020 (the "Benchmark Date") for a term equal to the weighted average life of 30 months plus a 45 day rate lock premium (the "Premium").

Interest Rate lock: The fixed interest rates will be held until October 26, 2020 (the "Expiration Date") only if we receive your acceptance of this proposal on or before September 11, 2020 (the "Acceptance Date"). Your acceptance of this Proposal after the Acceptance Date will result in the re-pricing of all terms related to the fixed interest rate, including the amount of the Premium.

Interest Day Count: 30/360.

Prepayment: The Lease may be prepaid in whole, but not in part, prior to maturity and will not be subject to a prepayment penalty at the time of the termination.

Escrow Account: The Lease will fund into an interest-bearing Escrow Account with Bank of NY Mellon. for the purpose of acquiring the Equipment. There will be no charge to the Lessee for the Escrow Account and earnings will be for the benefit of the Lessee. Once a disbursement is requested, funding to occur within 3 business days.

Financial Reporting: The Lessor is to receive annual audited financial statements from the Lessee within 270 days of the fiscal year end unless they are uploaded to EMMA.

Costs of Issuance: Lessee will be responsible for all its costs related to this Lease including but not limited to Lessee's Counsel fees and any related costs associated with the issuance of the Lease. Lessee shall provide the customary legal opinions for transactions of this nature. All legal fees incurred for this transaction, including closing document preparation, and any other legal opinions necessary, shall be paid by the Lessee. Lessor plans to use internal legal counsel assuming Lessor's legal documentation is utilized. There is no charge for Lessor's internal legal counsel.

Documents: Lessor plans to use Lessor's legal documentation. Sample documentation can be provided upon the Town's request.

Equipment: Eight (8) police vehicles, one (1) dump truck, one (1) backhoe, two (2) 4x4 crew cab trucks, one (1) work truck with service body, one (1) zero turn mower, one (1) enclosed trailer, one (1) Air Tow trailer, one (1) ABI outfield machine, two (2) Ventrac tractors, and related equipment to outfit the vehicles.

Conditions Precedent to Closing:	Lessee's obligation will be subject to such terms and conditions that Lessor may require with respect to this transaction, or as are customarily required with respect to similar credits and as set forth in the lease documents. Without limitation, such terms and conditions shall include: <ol style="list-style-type: none"> <li data-bbox="500 342 784 373">1. Absence of Default. <li data-bbox="500 380 1081 411">2. Accuracy of Representations and Warranties. <li data-bbox="500 417 1271 449">3. Negotiation and Execution of satisfactory closing documents. <li data-bbox="500 455 1479 512">4. Absence of material adverse change in financial condition of Lessee during the period from the date hereof to the Closing Date. <li data-bbox="500 518 1463 621">5. Statement from the Borrower regarding the impact of COVID-19 on current operations and the future near outlook on their operations and liquidity positions.
Credit Approval:	The Lease has been given a positive pre-screen. Formal credit approval is 1-3 business days assuming timely receipt of additional requested information.
Event of Taxability and Gross-Up:	Usual and customary language for a Lease of this nature.
Market Disruption:	Notwithstanding anything contained herein to the contrary, in the event any material change shall occur in the financial markets after the date of this proposal, including but not limited to any governmental action or other event which materially adversely affects the extension of credit by banks, leasing companies or other lending institutions, the Lessor may modify the indicative pricing described above.
Firm Experience:	The Lessor is a subsidiary of KeyBank, N.A. Lessor's portfolio consists of over \$4.5 billion of tax-exempt leases, loans, and bonds for municipalities, not-for-profits, and manufacturers across the United States.

Proposal Acceptance/Expiration

This proposal is issued in reliance upon the accuracy of all information presented by you to us and is contingent upon the absence of any material adverse change in your condition, financial or otherwise, from the condition as it was represented to us at the time of this proposal. This proposal is subject to our formal approval and the execution of documentation acceptable to each of us. **IT IS NOT A COMMITMENT BY US TO ENGAGE IN THIS TRANSACTION.**

Key Government Finance (“KGF”) is not acting as an advisor to you and does not owe a fiduciary duty pursuant to Section 15B of the Exchange Act to you with respect to the information and material contained in this communication; (b) KGF is acting for its own interests; and (c) you should discuss any information and material contained in this communication with any and all internal or external advisors and experts that you deem appropriate before acting on this information or material.

Lessor notifies Lessee that pursuant to the requirements of the USA Patriot Act (Title III of Pub. L. 107-56, as amended and supplemented) (the “Patriot Act”), that Lessor is required to obtain, verify and record all information that identifies Lessee, which information includes the name and address of Lessee and other information that will allow Lessor to identify Lessee in accordance with the Patriot Act.

Lessor acknowledges that, in connection with Lessee’s compliance with any continuing disclosure undertakings (each, a “Continuing Disclosure Agreement”) entered into by Lessee pursuant to SEC Rule 15c2-12 promulgated pursuant to the Securities and Exchange Act of 1934, as amended (the “Rule”), Lessee may be required to file with the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access system, or its successor (“EMMA”), notice of its incurrence of its obligations under this Agreement and notice of any accommodation, waiver, amendment, modification of terms or other similar events reflecting financial difficulties in connection with this Agreement, in each case including a description of the material terms thereof (each such notice, an “EMMA Notice”). Lessee shall not file or submit or permit the filing or submission of any EMMA Notice that includes any of the following unredacted information regarding Lessor or the Escrow Agent: physical or mailing addresses, account information, e-mail addresses, telephone numbers, fax numbers, tax identification numbers, or titles or signatures of officers, employees or other signatories. Lessee acknowledges and agrees that Lessor is not responsible in connection with any EMMA Notice relating to this Agreement for Lessee’s compliance or noncompliance (or any claims, losses or liabilities arising therefrom) with the Rule, any Continuing Disclosure Agreement or any applicable securities laws, including but not limited to those relating to the Rule.

If the outlined foregoing proposal is satisfactory, reflects an arrangement that suits the need of your organization and you would like Key to commence its due diligence process, please sign and return this proposal. The terms described in this proposal will expire in 45 days if we have not received an authorized signed copy on or before such date.

Thank you for allowing us the opportunity to present this Proposal. If you have any questions, please call me at 716-819-5947

Sincerely,

Donna Scibetta

Donna Scibetta
VP, Municipal Finance
Key Government Finance, Inc.
donna_scibetta@keybank.com

APPROVED THIS ____ DAY OF _____, 2020

Town of Garner, North Carolina

By: _____

Print Name: _____

Title: _____

Town of Garner				
	sample amortization -			
Interest Rate - 1.093%				
Date	Total Payment	Interest Component	Principal Component	Principal Balance
10/15/2020	\$ -	\$ -	\$ -	\$ 927,692.00
10/1/2021	\$ 238,194.55	\$ 9,745.35	\$ 228,449.19	\$ 699,242.81
10/1/2022	\$ 238,194.55	\$ 7,642.72	\$ 230,551.82	\$ 468,690.98
10/1/2023	\$ 238,194.55	\$ 5,122.79	\$ 233,071.75	\$ 235,619.23
10/1/2024	\$ 238,194.55	\$ 2,575.32	\$ 235,619.23	\$ (0.00)
Total	\$ 952,778.19	\$ 25,086.19	\$ 927,692.00	

REPORTS

Garner Info

Id	Title	Description	Current Status	Address	Date Created	Comments
8580419	Construction Without Permit	paved parking lot with no storm water remediation was constructed without permits, violating impermeable surface limits and an access ramp was built that clearly was pulled without a permit.	Submitted	514 E Main St	8/18/2020	
8593871	Junk Vehicle (Private Property)	There are about five vehicles in the parking lot that have no tag and not drivable for over a year. There is a silver Saturn that is sitting on a car jack and flat tires. A gold Saturn and black Cadillac with flat tires. A burgundy Nissan morano on all flat tires that has glass around it and a blue Nissan sentra that has not moved in years.... the parking lot looks like a junkyard. And it across the street from North Garner Middle School.	In Progress	203 Johnson St	8/20/2020	They have removed the tow away sticker from the vehicle in the attempt to leave the junk cars
8617069	Sign Violation	In the sharp curve on Spring Dr, near the high school.	Submitted	Spring Dr	8/24/2020	
8623179	Construction Without Permit	It appears a parking lot was installed without proper storm water retention system. Also the one entrance to parking lot seems small as it only allows for one car at a time to enter. This may explain why they built up asphalt against curb on E. Main Street to allow cars to roll over curb into parking lot.	Submitted	514 E Main St	8/25/2020	
8694157	Trim Vegetation	Woodland and Hillbrook ct. Bushes are blocking the view and you can't see if a car is coming over the hill.	In Progress	1614 Woodland Rd	9/5/2020	We will cut that back again... Thanks
8703001	Misc. - Streets	The concrete curbing at end of My driveway connecting into asphalt of street is too low and the cars coming out of driveway scrap the bottom of front bumper on the asphalt. The last layer of asphalt is an inch or so higher than curbing and with slop/grade of street it causes an issue. I drive a Jeep Cherokee and ihe front bumper scrapes. I know my next door neighbor has a similar issue. Is the town responsible for pouring a new concrete curbing or is the homeowner? if the homeoner is responsible,do i need a permit? Thank you,, Jessica Birch 984-289-0464 or tuxmav@gmail.com.	In Progress	3826 Cason St	9/8/2020	Typically that transition is an adjustment that the homeowner has approval to adjust after a resurfacing project if it has a impact on clearance
8723343	Junk Vehicle (Private Property)	Disable vehicle have been sitting on side of street for over a month. (white Van)	Submitted	Axum Rd	9/10/2020	

Garner Info

8737051	Sidewalk Repair	The ramp at the crossway for the greenway entrance off of Timber was paved over. Why would the town do this and make it more unsafe for cyclists to cross the street?	In Progress		9/13/2020	Looks like The crosswalk has been relocated further down Timber dr near the South Garner Greenway entrance and or Exit from the wood line...
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