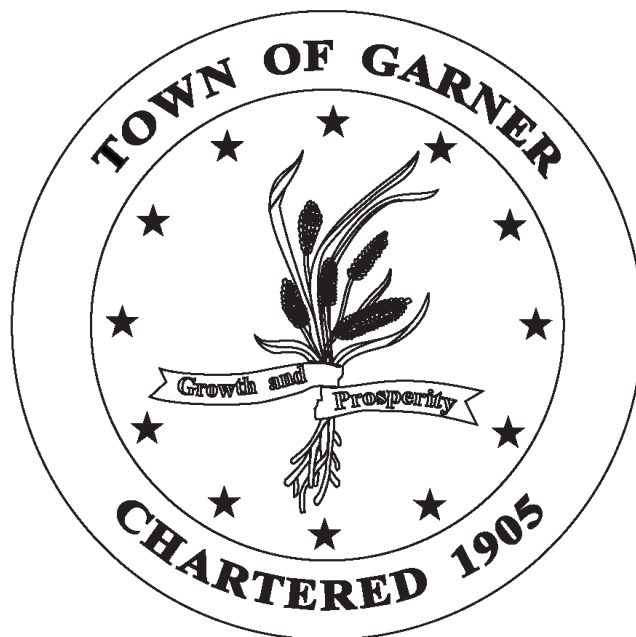


Town of Garner



Town Council Meeting October 3, 2022

Garner Town Hall
900 7th Avenue
Garner, NC 27529

Town of Garner
Town Council Regular Meeting Agenda
October 3, 2022

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.

Mask Policy: All staff and visitors, including people who are fully vaccinated, have the option to wear face coverings while inside Town facilities and during Town Council meetings. All persons should practice social distancing, when possible, in Council Chambers.

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

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

- B. PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

- C. INVOCATION: Council Member Gra Singleton

- 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. Presentation to Award Officers and a Civilian Department Awards.....Page 5
Presenter: Lorie Smith, Police Chief

Presentation to recognize officers and community member for a Department Commendation and Civilian Citation for going above and beyond their duties for a family in need. We will also recognize two officers for a Life-Saving Award.

- G. CONSENT

1. Surplus Property.....Page 6
Presenter: David Beck, Finance Director

The Police Department has a 2014 Dodge Charger that was involved in an accident. The vehicle has been declared a total loss by the insurance company. The request is to surplus the vehicle to release it to the insurance company. The insurance proceeds will be approximately \$15,000.

Action: Consider adopting Resolution (2022) 2508

2. Budget Amendment - Next50 Grant.....Page 8
Presenter: David Beck, Finance Director

The PRCR Department received a \$25,000 Next50 grant in FY 21-22 and were not able to spend all of the funds prior to fiscal year end. This amendment brings the leftover grant money forward into FY 22-23 so PRCR can continue to utilize the funds.

Action: Consider adopting Ordinance (2022) 5146
3. Budget Amendment - Replacement Vehicle.....Page 10
Presenter: David Beck, Finance Director

The Police Department would like to purchase a new vehicle to replace a 2014 Dodge Charger that was recently totaled in an accident. This amendment would allocate funds to purchase and equip a new Dodge Durango vehicle. Funding for the purchase would come from insurance proceeds received for the totaled vehicle and revenue generated by selling other surplus property.

Action: Consider adopting Ordinance (2022) 5145
4. Alcohol Ordinance Amendment for Rand-Bryan House.....Page 12
Presenter: Terri Jones, Town Attorney

Proposed amendment to Section 11-17 of the Town Code of Ordinances regarding consumption of alcoholic beverages at the Rand-Bryan House, a special event center operating on Town property.

Action: Consider adopting Ordinance (2022) 5147
5. U-6225 (White Oak Roundabout) Contract Amendment No.3.....Page 14
Presenter: Chris Johnson, Town Engineer

To approve amendment No. 3 to the design contract with Arcadis G&M of North Carolina, Inc. This amendment adds Construction Consultation services to update the environmental permit and survey staking of proposed right-of-way and easements to assist with utility relocation work required in advance of construction.

Action: Consider authorizing Town Manager to execute Amendment No. 3 with Arcadis G&M or North Carolina, Inc.
6. Council Meeting Minutes.....Page 20
Presenter: Stella Gibson, Town Clerk

Minutes from the August 30 and September 6, 2022 Council meetings.

Action: Consider approving Council Meeting minutes.

7. Personnel Policy Amendment- Starting Salaries.....Page 28
Presenter: Rodney Dickerson, Town Manager

Town Manager requesting amendment to the Personnel Policy Manual for authorization to use the full range in determining starting salaries. Allowing this flexibility would greatly support our efforts to actively recruit and make competitive offers to highly qualified candidates within the parameters of Town's pay plan and budget approved annually by Council.

Action: Consider approving amendment to Personnel Policy Manual

H. PUBLIC HEARINGS

1. CZ-22-04, US 70E Industrial.....Page 30
Presenter: Reginald Buie, Senior Planner

Tier 1 conditional rezoning request (CZ-22-04) submitted by Justin Parker with Al Neyer, LLC, to conditionally rezone 32.75 +/- acres from Single-Family Residential (R-40) - now Rural Agricultural (RA) since 7/5/22 - to Heavy Industrial (I-2 C257) Conditional - to be adopted as Heavy Industrial (HI C257) Conditional. The site is located on the north side of US Highway 70 East and adjacent to the eastern margin of the future NC 540 corridor and may be further identified as a portion of Wake County PIN# 1730842632.

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

2. Walters Buffaloe Development Agreement.....Page 41
Presenter: Randy King, Pulte Home Company LLC

Pulte Home Company LLC is developing a residential project known as Walters Buffaloe. In conjunction with the conditional rezoning request, CZ-MP-21-12, Pulte has proposed a development agreement to address road widening improvements along White Oak Road north and south of Bryan Road. State law requires a legislative hearing prior to the Town entering into a development agreement. A draft of the Agreement can be found [here](#).

Action: Provide feedback to the developer and consider approval of the agreement or referral to Planning Commission

I. NEW/OLD BUSINESS

1. Tier 2 Conditional Rezoning # CZ-SP-21-02, Greenbrier Park.....Page 42
Presenter: Jeff Triezenberg, Planning Director

Conditional rezoning request (CZ-SP-21-02) submitted by Liberty Investment Partners to rezone 9.6+/- acres from Service Business (SB C114), 6.1+/- acres from Single Family Residential (R-15) and 2.1 +/- acres from Single Family Residential (R-20) to Multifamily Conditional (MF-1 C253) for the development of a multifamily residential community. The request offers architectural conditions and amenities along with a site plan. The

17.8-acres site is located at the northwest corner of Timber Drive and Grovemont Road and may be further identified as Wake County PINs: 1701535458, 1701537520, 1701536721, 1701539949, and 1701632572.

Action: Consider motion to adopt statement of reasonableness and approve or deny CZ-SP-21-02; Adopt Ordinance (2022) 5148

2. Recruitment & Retention Initiatives.....Page 80
Presenters: Sabrina Lewis, HR Director and Jodi Miller, Asst. Town Manager

This is a follow-up to the September Work Session discussion on nine proposed enhancements to the Town of Garner total personnel rewards strategy. The recommended recruitment and retention strategies will benefit the Town's workforce across all departments and provide a competitive recruitment package for new employees.

Action: Consider moving forward with recommended recruitment and retention strategies.

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. Movie Night – Sonic the Hedgehog 2, Friday, October 7, 7:00 p.m. – 9:00 p.m. at the Rec Center
2. Garner Night Market – Friday, October 14, 5-9 p.m.in Downtown Garner
3. Spooky Skate Night – Saturday, October 15, 4-6 p.m. at the Rec Center

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

1. Capital Projects Status Update (End of FY23, Q1)

N. CLOSED SESSION

O. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Presentation to Award Officers and a Civilian Department Awards		
Location on Agenda: Presentations		
Department: Police		
Contact: Mike McIver, Deputy Police Chief		
Presenter: Lorie Smith, Police Chief		
Brief Summary: Presentation to recognize officers and community member for a Department Commendation and Civilian Citation for going above and beyond their duties for a family in need. We will also recognize two officers for a Life-Saving Award.		
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 type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MLM	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Surplus Property		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: The Police Department has a 2014 Dodge Charger that was involved in an accident. The vehicle has been declared a total loss by the insurance company. The request is to surplus the vehicle to release it to the insurance company. The insurance proceeds will be approximately \$15,000.		
Recommended Motion and/or Requested Action: Consider adopting Resolution (2022) 2508		
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:		

RESOLUTION NO. (2022) 2508

RESOLUTION AUTHORIZING DISPOSITION OF SURPLUS PERSONAL PROPERTY

WHEREAS, pursuant to N.C.G.S. 160A-265 municipalities are authorized to dispose of personal property.

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

That the Town Manager is hereby authorized to sell the following items as provided by G.S. 160A-266:

Asset Tag #	Year	Make/Model	Vin/Serial #
1121	2014	Dodge Charger Police Unit	2C3CDXAT7EH191331

AND BE IT FURTHER RESOLVED by the Garner Town Council that the Town Manager is hereby authorized to sell these items by private sale at a negotiated price as provided for by G.S. 160A-267.

Duly adopted this the 3rd day of October 2022.

Ken Marshburn, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Budget Amendment - Next50 Grant		
Location on Agenda: Consent		<input type="checkbox"/>
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: The PRCR Department received a \$25,000 Next50 grant in FY 21-22 and were not able to spend all of the funds prior to fiscal year end. This amendment brings the leftover grant money forward into FY 22-23 so PRCR can continue to utilize the funds.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2022) 5146		
Detailed Notes:		
Funding Source: Carry forward grant funds		
Cost: \$15,644	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2022) 5146

ORDINANCE AMENDING ORDINANCE NO. (2022) 5130 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

Revenue Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496901	Approp FB - Restricted Funds		\$ 1,497,601	\$ 15,644	\$ 1,513,245

TOTAL REVENUE INCREASE (DECREASE) \$ 15,644.00

Expenditure Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10574100-521200-57214	Printing	Next50 Grant	\$ -	\$ 1,500	\$ 1,500
10574100-523300-57214	Departmental Supplies	Next50 Grant	\$ -	\$ 10,343	\$ 10,343
10574100-524300-57214	Contract Services	Next50 Grant	\$ -	\$ 3,801	\$ 3,801

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 15,644.00

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

Duly adopted this 3rd day of October 2022.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson , Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Budget Amendment - Replacement Vehicle		
Location on Agenda: Consent <input type="checkbox"/>		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: The Police Department would like to purchase a new vehicle to replace a 2014 Dodge Charger that was recently totaled in an accident. This amendment would allocate funds to purchase and equip a new Dodge Durango vehicle. Funding for the purchase would come from insurance proceeds received for the totaled vehicle and revenue generated by selling other surplus property.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2022) 5145		
Detailed Notes:		
Funding Source: Insurance & sale of surplus property proceeds		
Cost: \$47,500	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2022) 5145

ORDINANCE AMENDING ORDINANCE NO. (2022) 5130 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

Revenue Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10305000-465070	Insurance Proceeds		\$ 20,000	\$ 22,500	\$ 42,500
10309000-476010	Sale of Fixed Assets		\$ 95,000	\$ 25,000	\$ 120,000

TOTAL REVENUE INCREASE (DECREASE) \$ 47,500.00

Expenditure Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10605000-537451	Capital Outlay - Public Safety		\$ 381,761	\$ 47,500	\$ 429,261

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 47,500.00

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

Duly adopted this 3rd day of October 2022.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson , Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022 		
Subject: Alcohol Ordinance Amendment for Rand-Bryan House		
Location on Agenda: Consent 		
Department: Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: Proposed amendment to Section 11-17 of the Town Code of Ordinances regarding consumption of alcoholic beverages at the Rand-Bryan House, a special event center operating on Town property.		
Recommended Motion and/or Requested Action: Consider adoption of Ordinance No. (2022) 5147		
Detailed Notes: The Town acquired a special event center and wedding venue known as the Rand-Bryan House located at 2518 Benson Road. The Rand-Bryan House and surrounding property has been leased to AriBeth Operations LLC to continue operation as a special event center. Some events to be hosted on the property may include the consumption of alcohol. An amendment to Section 11-17 of the Town Code of Ordinances is proposed similar to the amendments adopted for the Garner Performing Arts Center and the Garner Historic Depot Museum, except that all alcoholic beverages may be served at the Rand-Bryan House including fortified wine, spirituous liquor, and mixed beverages.		
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:	TJ	
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2022) 5147

AN ORDINANCE AMENDING THE TOWN CODE
RELATING TO CONSUMPTION OF ALCOHOLIC BEVERAGES

BE IT ENACTED by the Garner Town Council as follows:

Section One. That Sec. 11-17, Consumption of alcoholic beverages, of the Town Code shall be amended by deleting the language set forth in strike-outs and by adding the language set forth in underlined text below:

Sec. 11-17. Consumption of alcoholic beverages.

- (a) It shall be unlawful for any person to consume any alcoholic beverage or to possess an open container of any alcoholic beverage, on any property owned, occupied, or controlled by the town, including, without limitation, any public park, building or grounds used for municipal purposes, or the area within the right-of-way of any street, sidewalk, alley or public parking area, provided; however, sale, distribution, possession and consumption of malt beverages and/or unfortified wine is permitted:
 - (1) Within a specified area at community events which have been approved by town council resolution, where the applicant has specified such area and such beverages in the application and has all required ABC permits;
 - (2) On the property of the Garner Performing Arts Center, subject to a permit issued by the town manager and all applicable ABC permits;
 - (3) On the property of the Garner Historic Depot Museum, subject to a permit issued by the town manager and all applicable ABC permits; ~~or~~
 - (4) On property within the Historic Downtown Garner Study Area as delineated in the Historic Downtown Garner Plan, during events sponsored by the Downtown Garner Association, subject to a permit issued by the town manager and all applicable ABC permits; or
 - (5) Within the event center limits surrounding and including the Rand-Bryan House, subject to a lease between the operator and the Town and all applicable ABC permits for any alcoholic beverages including fortified wine, spirituous liquor, and mixed beverages.
- (b) A business which is licensed by the state to sell malt beverages, unfortified wine, fortified wine and mixed beverages after noon on Sunday pursuant to the licensed premises' permit issued under General Statutes, section 18B-1001 may sell the aforesaid beverages beginning at 10:00 a.m. on Sunday.
- (c) A violation of this section is punishable as a misdemeanor with a maximum fine of one hundred dollars (\$100.00).

Section Two. This Ordinance is effective upon adoption.

Adopted this the 3rd day of October, 2022.

Ken Marshburn, Mayor

ATTEST:

Stella Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: U-6225 (White Oak Roundabout) Contract Amendment No.3		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
Brief Summary: To approve amendment No. 3 to the design contract with Arcadis G&M of North Carolina, Inc. This amendment adds Construction Consultation services to update the environmental permit and survey staking of proposed right-of-way and easements to assist with utility relocation work required in advance of construction.		
Recommended Motion and/or Requested Action: Consider authorizing Town Manager to execute Amendment No. 3 with Arcadis G&M or North Carolina, Inc.		
Detailed Notes: A Construction Consultation will be required to re-evaluate the project to see if there were any changes in an action, affected environments, anticipated impacts, applicable requirements, or mitigation measures as they relate to the environmental document. This is a requirement for the Federal funding associated with the project and must be certified by NCDOT and approved by FHWA. Consultant will also stake proposed right-of-way, permanent easements, and temporary easements for the project to assist utility relocation work required in advance of construction.		
Funding Source: General Fund		
Cost: \$20,845	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:		

Project U-6225 - White Oak Road Roundabout

PO# 01900089-00 Contract Amendment No. 3

This Contract Amendment (the “Amendment”) dated the 23rd day of September 2022 by and between Arcadis G&M of North Carolina, Inc (the “Consultant”), and the Town of Garner (the “Owner”), collectively the “Parties”.

WHEREAS, the Parties entered into a contract dated August 7, 2018 with a value of \$220,740.00, and

WHEREAS, the Parties amended the original contract with Amendment 1 dated August 7, 2018 with a value of \$1,800.00 and time extension of the contract duration to June 30, 2022 and Amendment 2 dated January 5th, 2022 with a value of \$41,475 for a total current contract value of \$264,015.

WHEREAS, the Parties wish to amend the original contract with Amendment 3;

Now, therefore, it is agreed by and between the parties for this Contract Amendment No. 3 to be implemented as set forth below and attached exhibits.

1. SCOPE OF WORK

A) Construction Consultation Services

The Consultant assumes that a Construction Consultation (3EP1) will need to be completed during the duration of this scope. The consultation will be used to re-evaluate the project to see if there were any changes in an action, affected environments, anticipated impacts, applicable requirements, or mitigation measures as they relate to the environmental document. The Consultant will follow NCDOT’s Consultation and Re-evaluation Guidance and complete the NCDOT Consultation Form to be certified by NCDOT for FHWA approval.

Once the consultation documentation is complete, the Town of Garner Project Manager will circulate it internally for review and approval.

The Consultant will update the Project Commitments and verify with Project Commitments with the Town of Garner. The Consultant will distribute the Construction Consultation to the Town of Garner. The Town of Garner will forward the Environmental Document and Construction Consultation for review and comment to state and local agencies with expertise in environmental matters and/or whose jurisdiction may be impacted by the project.

The lump sum fee for this scope of work is \$4,345 (see attached SOW and Fee Estimate for cost breakdown).

B) Field Staking of proposed ROW changes

Scope of Work includes:

- Recovery and verification of horizontal control and baseline control points necessary to re-stake right of way and easement points
- Perform survey computations and analysis
- Restake the proposed right of way and permanent easements using 24” lengths of 5/8” rebar and witnessed with a wood stake

- Restake the temporary easements using wood stakes only. It is anticipated there will be no more than 15 temporary easement points and no more than 79 permanent easement and right of way points

The lump sum fee for this scope of work is \$16,500 (see attached SOW and Fee Estimate for cost breakdown).

2) TIME OF PERFORMANCE

- The Construction Consultation work will be completed within 30 days after acceptance of the final design plan set.
- Staking will be performed once for the proposed right of way, permanent easements, and the temporary easements points are finalized
- A project time extension of the original contract duration has been set to June 31, 2023.

3) COST OF WORK

The work will be performed for a total supplement contract value of \$20,845. The new total current contract value will be established at \$284,860.

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.

CONSULTANT

Signed:

Jonathan D. Reid, PE

Name: Jonathan Reid, PE

Title: Vice President, Arcadis G&M of North Carolina

Witness:

Nilesh Surti

Name: Nilesh Surti

Title: Associate Vice President

TOWN OF GARNER

Signed:

Rodney Dickerson

Name: Rodney Dickerson

Title: Town Manager

Witness:

Stella Gibson

Name: Stella Gibson

Title: Town Clerk

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

David Beck

Name: David Beck

THIS INSTRUMENT APPROVED AS TO FORM

Terri Jones

Name: Terri Jones

(Affix Town Seal)

PLANNING & ENVIRONMENTAL SCOPE OF WORK for CONSULTANT ENGINEERING SERVICES
PO# 01900089-00 - Contract Amendment 3

Scope of Services

The Consultant, Arcadis U.S., will provide the project development, environmental, and engineering services associated with the proposed roundabout project.

The work will be performed in accordance with the latest policies and procedures of the Town of Garner and the State of North Carolina Department of Transportation (State), the Federal Highway Administration (FHWA), and the Guidelines laid out and referenced in this Scope of Work.

The Consultant (Arcadis) assumes that one (1) Construction Consultation (3EP1) will need to be completed during the duration of this scope. The consultation will be used to re-evaluate the project to see if there were any changes in an action, affected environments, anticipated impacts, applicable requirements, or mitigation measures as they relate to the environmental document. The Consultant will follow NCDOT's Consultation and Re-evaluation Guidance and complete the NCDOT Consultation Form to be certified by NCDOT for FHWA approval. Once the consultation documentation is complete, the Town of Garner Project Manager will circulate it internally for review and approval.

The Consultant will update the Project Commitments and verify with Project Commitments with the Town of Garner. The Consultant will distribute the Construction Consultation to the Town of Garner. The Town of Garner will forward the Environmental Document and Construction Consultation for review and comment to state and local agencies with expertise in environmental matters and/or whose jurisdiction may be impacted by the project.

Notable dates:

A Categorical Exclusion for this project was finalized on May 21, 2020, by NCDOT and the Town of Garner. STIP Project U-6225 is scheduled to go to Construction in 2023.

Services Fee:

White Oak, Ackerman and Hebron Church Intersection Improvement Project Labor Hours by Task & Cost Budget for Phase II Construction Consultation Date: 9/13/2022	Project Manager	Planning Manager	Senior Environmental Specialist	Traffic Analyst	Total Hours	Total Costs
Labor Rates by Category	\$ 225.00	\$ 155.00	\$ 180.00	\$ 145.00		
A. NCDOT/Town of Garner Coordination	2	17	7	0	26	\$4,345
Division 5 Environmental Specialist Coordination		2	2		4	\$670
Verification of Design		2	1		3	\$490
Coordination with Town of Garner	1	4	2		7	\$1,205
Prepare Construction Consultation		6	2		8	\$1,290
QA/QC	1	3			4	\$690
Total Hours By Staff	2	17	7	0	26	\$4,345



September 21, 2022

Jonathan Reid, PE
Arcadis G&M of North Carolina, Inc.
5420 Wade Park Boulevard, Suite 350
Raleigh, NC 27607

Subject:
Town of Garner
Project U-6225 White Oak Road Roundabout
Right of Way and Easement Surveying and Mapping
Restaking Services

Dear Mr. Reid:

CH Engineering is pleased to provide this proposal for restaking for the above referenced project.

Scope of Work

1. Project Control: Recover and verify horizontal control and baseline control points necessary to restake right of way and easement points. Perform survey computations and analysis.
2. Field Staking: Restake the proposed right of way and permanent easements using 24" lengths of 5/8" rebar and witnessed with a wood stake. Restake the temporary easements using wood stakes only. It is anticipated there will be no more than 15 temporary easement points and no more than 79 permanent easement and right of way points.

Fee

The proposed lump sum fee is \$16,500.

Assumptions

- All survey work described in the scope of work above will adhere to NCDOT survey guidelines.
- All field crews will adhere to NCDOT safety guidelines related to working within, along or adjacent to public roadways.
- This proposal and fee estimate is based on the 65% Plans for Project U-6225 provided December 20, 2021, and last revised July 5, 2022. If significant design changes occur, we reserve the option to revise our fee proposal.
- Staking will be performed only once for the proposed right of way, permanent easements, and the temporary easements points.

We appreciate the opportunity to provide this proposal. Please let us know if we can provide any additional information.

A handwritten signature in blue ink that reads 'J. Auburn Hall, Jr.'.

J. Auburn Hall, Jr, PLS
Survey Project Manager

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: Minutes from the August 30 and September 6, 2022 Council meetings.		
Recommended Motion and/or Requested Action: Consider approving minutes		
Detailed Notes: 		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Work Session Meeting Agenda
August 30, 2022**

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

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, Maria Munoz-Blanco-PRCR Director, David Beck-Finance Director, Matt Poole-Fire Chief, Lori Smith-Police Chief, Rick Mercer-Communications Manager, Kyle Kettler-Communications Specialist, Terri Jones-Town Attorney, and Ashley Knotts-Deputy Town Clerk

Also Present: Jeff Triezenberg and Gaby Lontos-Lawlor attended via TEAMS

ADOPTION OF AGENDA

Motion: Matthews
Second: Vance
Vote: 5:0

PRESENTATIONS

Maria Munoz-Blanco, PRCR Director, introduced the new superintendents of the Parks, Recreation & Cultural Resources Department.

DISCUSSION/REPORTS

Wake County ILA and Land Lease – Caddy Road Public Safety Facility

Presenter: John Hodges, Assistant Town Manager

The Town of Garner will enter an Interlocal Agreement (ILA) with Wake County to guide cost-share, construction, ownership, and operation of the Caddy Road Public Safety Facility that will house Wake County EMS and Garner Fire Station 5. Council approval of the ILA will also authorize Wake County to award the bid for construction of the facility.

Action: Consensus to put on next agenda for approval.

Street & Sidewalk Bond Projects Update

Presenter: John Hodges, Assistant Town Manager

Staff provided an update on Street & Sidewalk Bond Projects.

Action: Received as information.

Developer Agreement Overview

Presenter: Terri Jones, Town Attorney

State law authorizes development agreements as a binding contractual tool to address new development which includes significant community impacts on public infrastructure, and which requires coordination of planning, financing, and phasing of the new development. This tool is meant to augment traditional zoning options in managing impacts on the areas surrounding a new development while providing assurances to developers of large or complex projects.

Action: Received as information.

Draft ARP Guidelines and Priorities Framework

Presenter: Jodi Miller, Assistant Town Manager

During the FY22-23 budget process, Council requested that staff prepare a framework for determining uses and priorities for the Town's American Rescue Plan (ARP) funding. The proposed draft framework includes creating guidelines for funding decisions, an evaluation rubric for determining priorities, and a list of possible funding options based on previous Council discussions and project needs.

Action: Consensus to add budget amendment to next meeting.

MANAGER REPORTS

- Pending Agenda Report
- Connect Conference is September 8th from 12pm-4pm at GPAC
- CLUE Steering Committee meeting is September 7th from 5:00pm-6:50pm training room
- Developmental Map of approved projects that are in review
- Google will start to run fiber in small batches
- City of Raleigh will be replacing sewer lines along Garner Road
- Recognized Parks and Rec on receiving the grant for important projects
- Town Attorney stated the Harris case was dismissed.

COUNCIL REPORTS

Matthews

- Asked where the piping was going that's being installed on Old Stage Rd. Mr. Hodges stated the townhome project is being started and was approved on the west side of Old Stage Rd.
- Wall that Heels presentation and event was a great success.

Singleton

- Asked about the status on the speed limit change and updated signage on Timber Drive. Mr. Johnson is reaching out to NC DOT regularly to check any updates on when its being scheduled.

Behringer

- Asked for information on the number of square feet from a proposed project and when property owners are being notified.

Dellinger

- Congratulated the Parks and Rec staff on receiving a grant.

Vance

- Congratulated the Parks and Rec staff for the hard work they have been doing.

Marshburn

- Thanked everyone involved for having the employee social gathering at the Rec Center.
- Stated school is back in session and challenged citizens to watch out for speeding on the roadways.

Motion: Matthews

Second: Behringer

Vote: 5:0

ADJOURN: 9:17 p.m.

DRAFT

**Town of Garner
Town Council Regular Meeting Minutes
September 6, 2022**

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

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, Gaby Lontos-Lawlor-Senior Planner, Chris Johnson-Town Engineer, David Beck-Finance Director, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

PLEDGE OF ALLEGIANCE: Mayor Ken Marshburn

INVOCATION: Louis Long, Police Chaplain

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Matthews
Second: Behringer
Vote: 5:0

PRESENTATIONS

Recognize Garner Baseball Inc. 8U State Champions

Presentation: Mayor Ken Marshburn

Council recognized the GBI 8U All Star Team who won the Tarheel League State Championship and finished the All Star Summer with a 13-1 record.

Tony Bailey, who serves with the Office of State Fire Marshall as a rating inspector and Daryl Alford, Fire Services Director for Wake County, recognized Garner Fire Rescue on their achievement of receiving an ISO Fire Score of 1, the highest an area can receive. An ISO score is provided to fire departments and insurance companies by the Insurance Services Office and reflects how prepared a community is for fires and other emergencies.

Proclamation recognizing September 2022 as Preparedness Month

Council Member Singleton read a Proclamation recognizing a Nationwide Initiative to raise awareness of the importance of all-hazard preparedness for individuals, businesses, and communities.

CONSENT

2022 Resurfacing Contract - Change Order #2 (Park Avenue)

Presenter: Chris Johnson, Town Engineer

Approval of Change Order #2 on the 2022 Resurfacing Contract for more extensive milling and paving required on Park Avenue, which was the last street completed on the contract.

Action: Authorize the Town Manager to execute Change Order #2 with Daniels, Inc.

Surplus Property

Presenter: David Beck, Finance Director

Replacement of vehicles and equipment per the VERT adopted plan is ongoing and as assets are cycled out of service we would like to declare them surplus property so they may be sold.

Action: Adopt Resolution (2022) 2501

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Minutes from the 7/26, 8/1, and 8/16/2022 Council meetings and from the special meeting with GVFR on 8/17/2022.

Action: Approve minutes

Construction Manager At Risk for Yeargan Park Phase 1

Presenter: Maria Munoz-Blanco, PRCR Director

Resolution to authorize the use of the Construction Manager at Risk (CMAR) method for the construction of Yeargan Park Phase 1.

Action: Approve Resolution (2022) 2502 to authorize using Construction Manager at Risk method for Yeargan Park.

Caddy Road Public Safety Station ILA and Lease

Presenter: John Hodges, Asst. Town Manager

The Town of Garner will enter into an interlocal agreement (ILA) with Wake County to guide cost-share, construction, ownership and operation of the Caddy Road Public Safety Facility that will house Wake County EMS and Garner Fire Station 5. Council approval of the ILA will also authorize Wake County to award the bid for construction of the facility.

Action: Approve (2022) 2504 authorizing the Interlocal Agreement

Budget Amendment – ARP

Presenter: David Beck, Finance Director

Town Council authorized the use of supplanted ARP funding for retention bonus payments to eligible full-time Town and Fire Department employees during the 8/30 work session. This amendment moves the ARP funds into the general fund and each departmental budget. Retention bonus payments are

subject to tax withholding, LGERS retirement contributions, and the Town's 401K contribution. This follows the same tax and retirement treatment we use for longevity bonus payments.

Action: Adopt Ordinance (2022) 5142

ARP Guidelines and Priorities Framework

Presenter: Jodi Miller, Asst. Town Manager

During the FY22-23 budget process, Council requested that staff prepare a framework for determining uses and priorities for the Town's American Rescue Plan (ARP) funding. The proposed draft framework includes guidelines for funding decisions and an evaluation rubric for determining priorities. Council discussed the framework and rubric during the August 30, 2022 work session.

Action: Approve the proposed ARP guidelines and priorities framework

Holiday Schedule – 2023

Presenter: Rodney Dickerson, Town Manager

The Holiday Schedule for the 2023 calendar year typically follows the State holiday schedule. The Town of Garner is adding Juneteenth to its holiday schedule. It will be recognized on June 19th or on a Monday or Friday when June 19 falls on a weekend. Town Hall and offices will be closed on the Juneteenth Holiday. A floating holiday to be used at a full-time employee's discretion will also be added.

Action: Approve Resolution (2022) 2503 setting the 2023 Holiday Schedule

Action: Approve Consent Agenda

Motion: Singleton

Second: Matthews

Vote: 5:0

PUBLIC HEARINGS

Mayor Marshburn opened the hearing.

Contiguous Annexation Petition # ANX-22-08, Rollman Farms

Presenter: Gaby Lontos-Lawlor, Senior Planner

Voluntary contiguous annexation (ANX-22-08) petition submitted by ARS Garner - Old Stage Development, LLC to bring 63.759 +/- acres into the Town's primary corporate limits and including 1.650 +/- acres of right-of-way for a total of 65.409 +/- acres.

Action: Adopt Ordinance (2022) 5141

Motion: Vance

Second: Singleton

Vote: 5:0

NEW/OLD BUSINESS

Walters Buffalo Development Agreement

Presenter: Terri Jones, Town Attorney

Pulte Home Company LLC has proposed a Development Agreement as a condition of approval of the Walters Buffaloe conditional rezoning, CZ-MP-21-12. The Development Agreement proposes to address road infrastructure along the White Oak and Bryan Road corridor to support public roadway widening improvements and a traffic signal at the intersection of White Oak and Bryan Road.

Ms. Jones stated this development agreement is a follow-up based on the proposal that was previously submitted by Pulte Homes. However, in the conditional rezoning request, there was a request for an additional condition – Condition #22. This condition deals with offsite road improvements to the corridor around Bryan Road and the White Oak Road intersection.

Action: Set Public Hearing for October 3 and expand notification area to 1000’.

Motion: Vance
Second: Matthews
Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

- The CLUE Steering Committee Meeting is held on September 7th at 5:00 p.m.
- The Connect Conference is on September 8th at the GPAC.
- The next outdoor movie at the Rec Center will be ‘Encanto’ on September 9th at 7:45 p.m.
- The Night Market will be on September 23rd from 5:00 p.m. to 9:00 p.m.
- Vandora Springs Road Project – the road will tentatively be closed from September 16th through the 18th.

ATTORNEY REPORTS

COUNCIL REPORTS

Dellinger

- Stated it would be helpful to start estimating revenue generated by projects.

Behringer

- Reported the Town sign in front of the Garner Rec Park was faded and asked if it could be refurbished to match the other signs around Town.
- The speed limit sign on Penny Street has been knocked down. There is also a couple of signs on Highway 70 that have been knocked over or broken. Staff will report these to NC DOT.

Matthews

- Reported Dick Sears, the former Mayor of Holly Springs, passed away.

Mayor Marshburn, Mayor ProTem Vance and Council Member Singleton had nothing to report.

ADJOURN: 8:30 p.m.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Personnel Policy Amendment- Starting Salaries		
Location on Agenda: Consent		
Department: Administration		
Contact: Rodney Dickerson		
Presenter: Rodney Dickerson		
Brief Summary: Town Manager requesting amendment to the Personnel Policy Manual for authorization to use the full range in determining starting salaries. Allowing this flexibility would greatly support our efforts to actively recruit and make competitive offers to highly qualified candidates within the parameters of Town's pay plan and budget approved annually by Council.		
Recommended Motion and/or Requested Action: Approve amendment to Personnel Policy Manual		
Detailed Notes: 2010.4- Starting Salaries A. All persons employed in positions approved in the Position Classification Plan shall be employed at the minimum salary for the classification in which they are employed: however, on the recommendation of the department head, and with the approval of the Town Manager, well-qualified applicants may be employed up to fifty (50) percent above the minimum of the established the full salary range on the pay plan. B. Starting salaries above these parameters shall be approved by the Town Council.		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TO: Town Council
FROM: Rodney Dickerson, Town Manager
DATE: September 29, 2022
RE: Personnel Policy Amendment- Starting Salaries

Filling several key positions over the last few months have proven to be challenging. Some job postings have been re-advertised or left open until filled. Often when we find a qualified candidate, staff struggles to negotiate an agreeable salary in a timely manner. We see evidence that our pay ranges are lower than those of surrounding communities. Even in the midst of performing a pay study, it will be several months before the necessary adjustments can be made.

Section 2010.4 of the Personnel Policy Manual gives the Town Manager authority to approve salaries up to 50% above the minimum. Knowing that a majority of the pay ranges are likely low, this hampers the timely negotiating ability of department heads trying to fill key positions. The policy states:

2010.4- Starting Salaries

A. All persons employed in positions approved in the Position Classification Plan shall be employed at the minimum salary for the classification in which they are employed: however, on the recommendation of the department head, and with the approval of the Town Manager, well-qualified applicants may be employed up to fifty (50) percent above the minimum of the established salary range on the pay plan.

B. Starting salaries above these parameters shall be approved by the Town Council.

Per Garner Personnel Policy Manual, the Town Manager has authority to approve salaries up to 50% above the minimum. Salaries above the 50% threshold require Council approval. I am requesting Town Council grant the Town Manager authority to offer salaries up to the full range. By amending the policy to state:

2010.4- Starting Salaries

*A. All persons employed in positions approved in the Position Classification Plan shall be employed at the minimum salary for the classification in which they are employed: however, on the recommendation of the department head, and with the approval of the Town Manager, well-qualified applicants may be employed up to fifty (50) percent above the minimum of the established **the full** salary range on the pay plan.*

B. Starting salaries above these parameters shall be approved by the Town Council.

Allowing this flexibility would greatly support our efforts to actively recruit and make competitive offers to highly qualified candidates within the parameters of Town's pay plan and budget approved annually by Council.

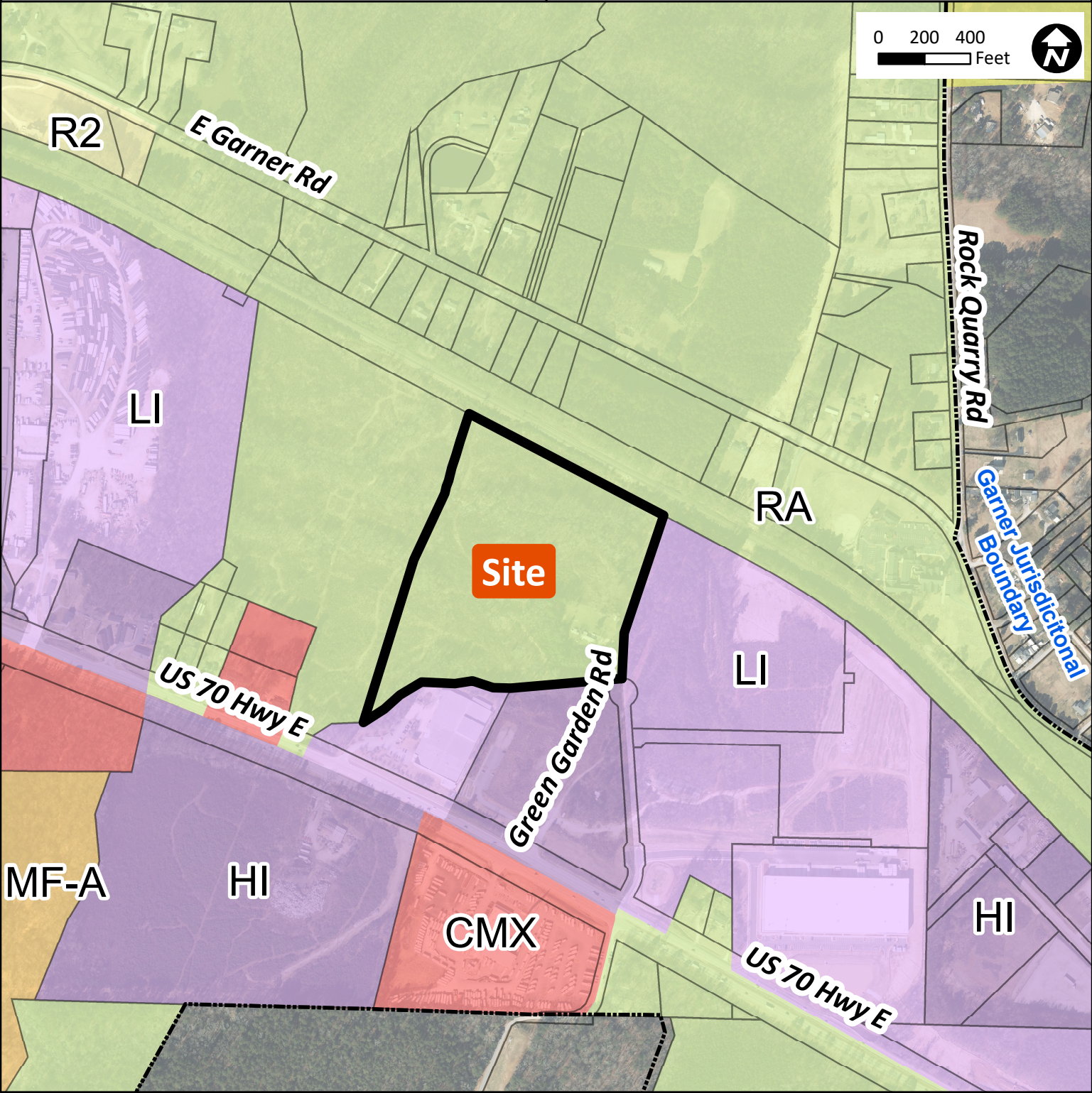
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022 <input type="button" value="v"/>		
Subject: Tier 1 Conditional Rezoning Request # CZ-22-04, US 70 East Industrial		
Location on Agenda: Public Hearings <input type="button" value="v"/>		
Department: Planning		
Contact: Jeff Triezenberg, Planning Director		
Presenter: Reginald Buie, Senior Planner - Land Use & Zoning		
Brief Summary: Tier 1 conditional rezoning request (CZ-22-04) submitted by Justin Parker with Al Neyer, LLC, to conditionally rezone 32.75 +/- acres from Single-Family Residential (R-40) - now Rural Agricultural (RA) since 7/5/22 - to Heavy Industrial (I-2 C257) Conditional - to be adopted as Heavy Industrial (HI C257) Conditional. The site is located on the north side of US Highway 70 East and adjacent to the eastern margin of the future NC 540 corridor and may be further identified as a portion of Wake County PIN# 1730842632.		
Recommended Motion and/or Requested Action: Consider referral to Planning Commission for plan consistency review and recommendation.		
Detailed Notes: This is a Tier 1 conditional district rezoning request which means there is no site plan or specific development proposal at this time. Conditions are proposed to limit the range of permissible uses down to 17 from a list of 60 uses allowed in the former Heavy Industrial (I-2) district. The neighborhood meeting was held on June 28, 2022, at a temporary jobsite trailer located nearby at 1000 Garner Business Park Drive, Garner, NC with three (3) in attendance.		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**Town of Garner
Planning Department**

**Conditional District Zoning Application
CZ-22-04**



Project: US 70 E Industrial
Applicant: Al Neyer
Owner: L & L Company LLC
Location: 4839 Green Garden Road
Pin #: 1730842632 (Portion)

Proposed Use: Heavy Industrial
Current Zoning: RA
Proposed Zoning: HI C257
Acreage: 32.75
Overlay: Commercial Highway
Overlay; Limited Access
Highway Overlay

Planning Department Staff Report

TO: Honorable Mayor Marshburn and Town Council Members

FROM: Reginald Buie, CZO; Senior Planner - Zoning and Land Use

SUBJECT: *Tier 1 Conditional Rezoning Request # CZ-22-04, US 70 East Industrial*

DATE: October 3, 2022

I. PROJECT AT A GLANCE

Project Number(s): CZ-22-04, Tier 1 Conditional Rezoning

Applicant: Al Neyer, LLC – Justin Parker

Owners: L&L Company, LLC

General Description -

Project Area & Location: 32.75 +/- acres

Wake Count PIN(s): 1730842632

Current Zoning: At time of request: Single-Family Residential (R-40);
As of 7/5/22: Rural Agricultural (RA)

Requested Zoning: At time of request: Heavy Industrial (I-2) Conditional;
After 7/5/22: Heavy Industrial (HI C257) Conditional

Overlay(s): At time of request: US 70/401 Overlay (O-70) and I-40/540
Overlay (O-40);
As of 7/5/22: Commercial Highway Overlay (CHO) and
Limited Access Highway Overlay (LHO)

Key Meeting Dates:

Public Hearing: October 3, 2022

Planning Commission: TBD

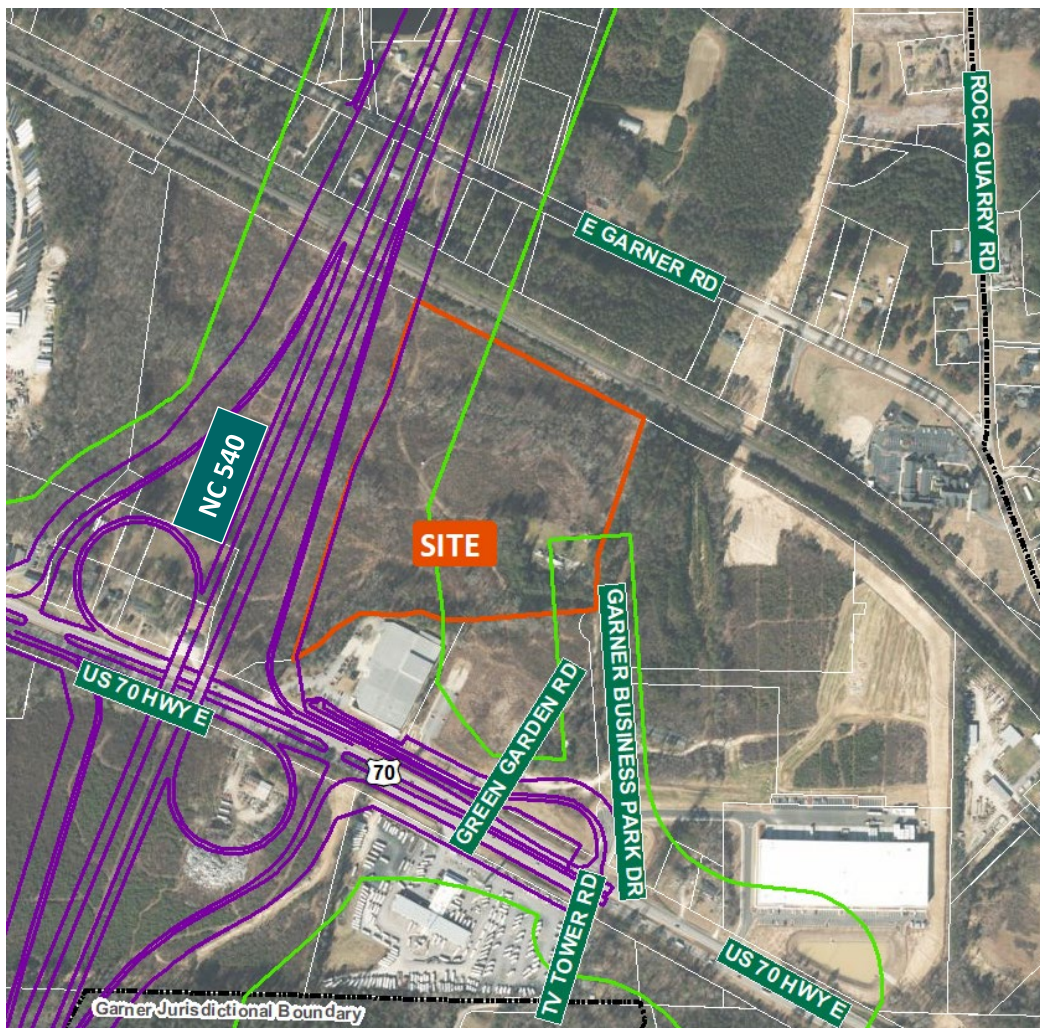
Action: TBD

II. BACKGROUND / REQUEST SUMMARY

Request: Tier 1 conditional rezoning request (CZ-22-04) submitted by Justin Parker with Al Neyer, LLC, to conditionally rezone 32.75 +/- acres from **Single-Family Residential (R-40)** to **Heavy Industrial (I-2 C257) Conditional**. The site is located on the north side of US Highway 70 East and adjacent to the eastern margin of the future NC 540 corridor and may be further identified as a portion of Wake County PIN# 1730842632.

This is a Tier 1 conditional district rezoning request which means there is no site plan or specific development proposal at this time. Conditions are proposed to limit the range of permissible uses down to 17 from a list of 60 uses allowed in the Heavy Industrial (I-2) district.

As of July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. The request is now amended to be from Rural Agricultural (RA) to Heavy Industrial (HI) Conditional. However, due to permit choice rules, the specific conditions of the request are to be considered according to the rules of the former UDO which was in effect at the time of application governing the Heavy Industrial (I-2) zoning district.



III. ZONING ANALYSIS

Existing: The existing zoning of the site is **Rural Agricultural (RA)**. The RA District primarily accommodates agriculture, silviculture, and rural residential (aka large-lot single-family residential) uses. Other uses typically found in rural areas, including utility structures and other compatible uses are also found in the district. Properties zoned RA are typically found in areas outside the Town's corporate limits where public water and sewer services are not readily available. Maximum Gross Density is one (1) unit per acre.

The following is a list of permitted uses in the RA District:

- | | |
|--|---|
| 1. Single-Family Detached | Space Uses Not Listed |
| 2. Manufactured Home – Class A | 17. Public Park, Passive Open Space, Nature Park |
| 3. Manufactured Home – Class B | 18. Bed and Breakfast Home, 8 rooms or fewer |
| 4. Other Group Living Uses Not Listed | 19. In Home Family Child Care Home |
| 5. Group Care (with 9 or fewer residents) | 20. Crematorium |
| 6. Assembly, Civil, Service Fraternal Clubs, Lodges and Similar Uses | 21. Water Treatment, Wastewater Treatment, Natural Gas, Electric Substation |
| 7. Community Center | 22. Minor Utility |
| 8. Higher Education | 23. Solar Farms |
| 9. School, Primary or Secondary | 24. Telecommunications Facility |
| 10. Emergency Services | 25. Other Agricultural Uses Not Listed |
| 11. Prison, Jail, Detention Facility | 26. Agriculture and Silviculture |
| 12. Cemetery | 27. Greenhouse, Nursery (commercial), indoor operations |
| 13. Religious Institution | 28. Greenhouse, Nursery (commercial), outdoor operations |
| 14. Golf Course or Country Club, Private | |
| 15. Horse Stables and Related Facilities | |
| 16. Other Outdoor Parks and Open | |

Proposed: The proposed zoning of the 32.75 +/- acre site is **Heavy Industrial (I-2 C257) Conditional** which would be converted to **Heavy Industrial (HI C257) Conditional** upon adoption. The Heavy Industrial (I-2) zoning district is intended to provide for industrial uses that are may be noxious or offensive due to odors, smoke, dust, noise, fumes or vibration. Operations may be inside or outside of a building.

The applicant has proposed the following conditions for the Heavy Industrial (I-2 C257) Conditional District:

1. Permitted use table (17 selected from the generally permitted list of 60)

Use Category	Specific Use	I-2 C257
Government Facilities	Government, Utility Facility with Outdoor Storage	S
Passenger Terminal	Taxicab or Limousine Operations or Facility	P

Use Category	Specific Use	I-2 C257
Entertainment	Indoor Entertainment Facility	P
Retail Sales and Service	Open Air Market	P
	Repair Oriented Use (no outdoor operations)	P
	Sales Oriented Use (no outdoor operations)	P
	Sales Oriented Use with Outdoor Operations	P
Vehicle Sales and Service	Car Wash	P
	Vehicle General Repair	P
	Vehicle Sales, Rental	P
	Vehicle Service, Limited	P
	Vehicle Towing, Storage	P
Light Industrial Service	Flex Space	P
	Industrial Use, Indoor	P
	Industrial Use with Outdoor Operation	P
Manufacturing and Production	Manufacturing Indoor or Outdoor	P
Warehouse and Freight Movement	Storage (including Outdoor)	P

Overlay Districts: This property falls within the **Limited Access Highway Overlay (LHO) District**. This overlay district has additional development standards applicable to either side of I-40 within the Garner zoning jurisdiction, as well as to all future interstate development. It is intended to preserve natural scenic beauty and aesthetic character; promote design quality; enhance trade, tourism, capital investment, and the general welfare along the thoroughfare; and preserve undisturbed natural or native vegetation between the interstate(s) and current and future adjacent uses. There are several uses that are prohibited or restricted within the overlay district.

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

Restricted uses: The following may be expressly included in whole or in part in the proposed use list provided they meet additional standards (often related, but not limited, to site layout and/or screening):

- a. Truck service centers (truck stops).
- b. Vehicle sales.
- c. Uses with storage for retail such as lumber yards, heavy equipment dealers, and similar uses.

Some of the uses proposed will overlap with those identified herein as restricted. Such uses will need to meet applicable additional standards to be approved.

This property also falls within the **Commercial Highway Overlay District (CHO)**. The overlay applies to the entire length of U.S. 70 and U.S. 401 - and portions of Garner Road - located within Garner's zoning jurisdiction. It is intended to provide for functional, efficient

transportation corridors; expand economic opportunity; protect community character; and preserve and promote the community's appearance and quality.

Prohibited uses: Town staff notes that the outdoor-only component of the "Storage (including Outdoor)" specific use is prohibited by the CHO as a stand-alone primary use. Additionally, accessory outdoor storage of items not sold or used on site are prohibited. Indoor-only storage and outdoor storage of goods sold or used on site are permitted.

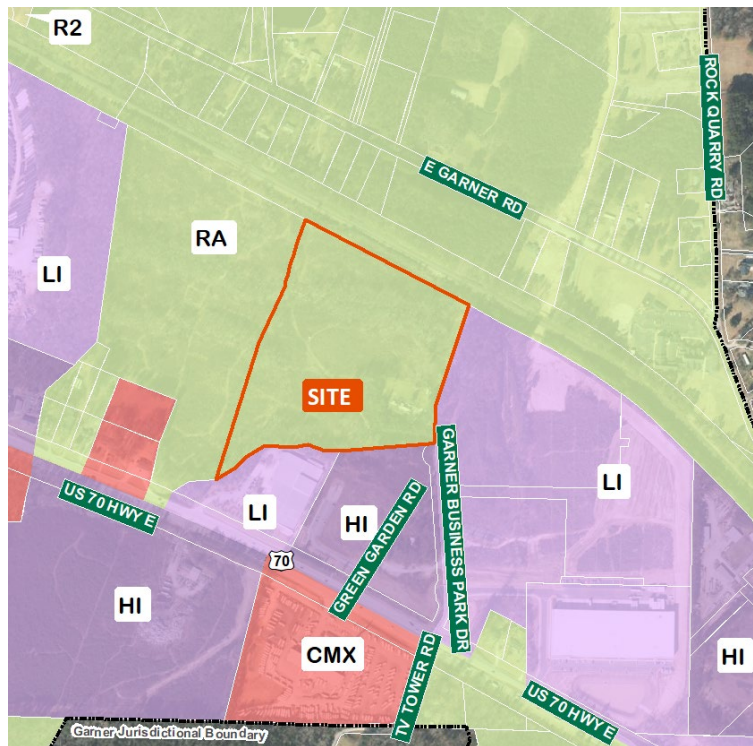
Restricted uses: None of the restricted overlay district uses are included in the proposed use list provided above.

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-93-2	Wilfred E. Buffalo, Jr.	Walnut Drive	I1 to I2 C41
CUD-Z-96-01	Leland Wayne Poole	Auburn Knightdale Road	CB to SB C63
CUD-Z-96-03	W.E. Buffalo, Jr.	US 70 Hwy E.	I1 to I2 C64
CUD-Z-00-01	Lillie D. Ray and William K. Ray	Raynor Road	I1 to I2 C97
CUD-Z-01-07	Chris Daniels	US 70 Hwy E.	I2 C105 to I2 C110
CUD-Z-05-04	Tony M. Tate	US 70 Hwy E.	I-1 to I-2 C133
CUD-Z-05-01	Tony M. Tate	US 70 Hwy E.	I-2 C110 to I-2 C105
CUD-Z-14-01	William Sparkman	US 70 Hwy E.	Wake Co. HD to I-1 C172
CUD-Z-16-05	Freedom Roads, LLC	US 70 Hwy E.	Wake County HD to SB C185
CUD-Z-16-10	William Sparkman	Green Garden Road	Wake County HD to I-2 C190
CUD-Z-20-05	Justin Parker	US 70 Hwy E.	I-1 to SB C230

Adjacent Zoning and Land Use:

North:	RA	NC Railroad Company and Residential
South:	LI and HI	Pleasants & Baugh Land / Konica
East:	LI	Garner Business Park (US 70 E. Industrial – Lots 1-4)
West:	RA	Baugh Land – Vacant / Future 540



IV. COMMUNITY INFORMATION

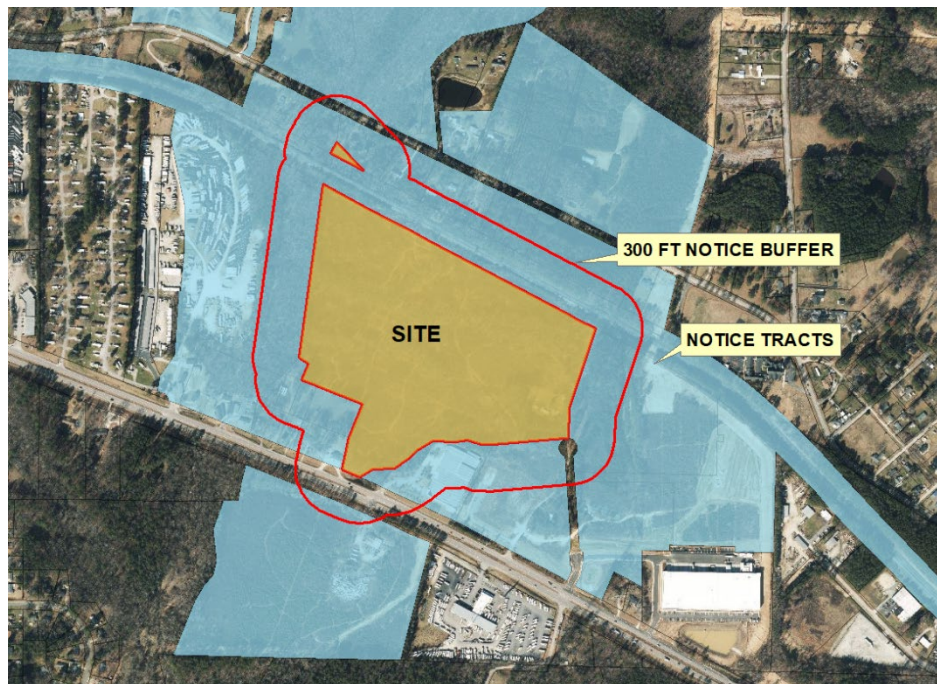
Overall Neighborhood Character: This site is located at the end of Garner Business Park Drive north of US Highway 70 East. US 70 is a major thoroughfare and handles high volumes of traffic during the morning and afternoon peak hours. The area around this site consists primarily of light industrial, heavy industrial and rural agricultural uses.

Traffic: For general context only, the NCDOT average daily traffic count history in this area is as follows: (NOTE: These entire day average counts are conducted every two years BY NCDOT across the entire state and differ from TIAs which focus on peak hour only counts conducted primarily by privately contracted traffic engineers):

US 70 Hwy E. (East & West of Green Garden Rd)

- | | |
|----------------------|----------------------|
| • Year 2009 – 34,000 | • Year 2015 – 36,000 |
| • Year 2011 – 35,000 | • Year 2017 – 36,000 |
| • Year 2013 – 35,000 | • Year 2019 – 46,000 |

Neighborhood Meeting: Staff identified 35 properties within the notification radius as shown below and provided the list below to the applicant for first class mailed notices. The neighborhood meeting was held on June 28, 2022, at 5:30 PM at the temporary jobsite trailer at 1000 Garner Business Park Drive with 3 persons in attendance.



OWNER	ADDR1	ADDR2
APUGRAF HOLDINGS LLC	2700 E GARNER RD	RALEIGH NC 27610-9672
ALEXANDER, RANDY	2133 US HIGHWAY 70 E	GARNER NC 27529-9422
WILLIAMS, PATRICIA	2728 E GARNER RD	RALEIGH NC 27610-9672
PRICE, JOE LOUIS JR PRICE, JOEATTA PATRICIA	511 KIMLOCH DR	GARNER NC 27529-5121
ZAPATA, WALFIDO	2708 E GARNER RD	RALEIGH NC 27610-9672
MOUNT MORIAH BAPTIST CHURCH INC	3000 E GARNER RD	RALEIGH NC 27610-9678
LEE, EUNICE R	2149 US HIGHWAY 70 E	GARNER NC 27529-9422
COATS, ELAINE E	2137 US HIGHWAY 70 E	GARNER NC 27529-9422
BROWN, EDITH HOPE JOHNSON MASSEY, BELINDA A JOHNSON	2121 US HIGHWAY 70 E	GARNER NC 27529-9422
HATCHER, DURWOOD LEE HATCHER, ANNE S	2712 E GARNER RD	RALEIGH NC 27610-9672
JESSUP, MEREDITHE JESSUP, BERNADETTE ELAINE	2724 E GARNER RD	RALEIGH NC 27610-9672
CUNNINGHAM, BRENDA J CUNNINGHAM, MARK R	2716 E GARNER RD	RALEIGH NC 27610-9672
YARBROUGH, DENNIS RALPH	2741 E GARNER RD	RALEIGH NC 27610-9673
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500
WATTS, LAURA LYNN GAUL, BARBARA WATTS	132 S HIDDENBROOKE DR	ADVANCE NC 27006-7298
COATS, J J COATS, ELAINE E	2137 US HIGHWAY 70 E	GARNER NC 27529-9422
MARTINEZ, JOSE NIETO CALDERON, RAFAELA JAMIES	2828 E GARNER RD	RALEIGH NC 27610-9674
BUFFALOE ENTERPRISES LLC	233 SHADY HOLLOW LN	GARNER NC 27529-5096
SEEDLING TECHNOLOGY CENTER LLC	PO BOX 620	GARNER NC 27529-0620
RHODES, WILLIAM THOMAS	6205 MIAL PLANTATION RD	RALEIGH NC 27610-9646
CATES, JEFFREY PAUL CATES, NANCY STEWART	2632 E GARNER RD	RALEIGH NC 27610-9670
MCINTYRE, JOHN BAPTIST	2749 E GARNER RD	RALEIGH NC 27610-9673
MCLEMORE, ANTHONY JOSEPH MCLEMORE, JULIE	2713 E GARNER RD	RALEIGH NC 27610-9673
EDGE OF AUBURN LLC	PO BOX 19808	RALEIGH NC 27619-9808
GARNER INDUSTRIAL II LLC	302 W 3RD ST STE 800	CINCINNATI OH 45202-3426
GARNER INDUSTRIAL IV LLC	302 W 3RD ST STE 800	CINCINNATI OH 45202-3426
LOCKAMON, DONALD R JR LOCKAMON, SANDRA C	2745 GARNER RD	RALEIGH NC 27610-4645
STORMS, JANET POWELL POWELL, LINDA SUE	PO BOX 1251	GARNER NC 27529-1251
L & L COMPANY LLC	2805 TOWNGATE DR	RALEIGH NC 27614-8920

OWNER	ADDR1	ADDR2
NC RAILROAD COMPANY	2809 HIGHWOODS BLVD STE 100	RALEIGH NC 27604-1000
ROGERS, RICHARD TRUSTEE ROGERS, ANN R TRUSTEE	PO BOX 17671	RALEIGH NC 27619-7671
HARTMAN, ANNETTE KAY	2637 E GARNER RD	RALEIGH NC 27610-9671
NC RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH NC 27604-1000
LA SANGRE DE JESUCRISTO	3631 EVANSTON WAY	WINSTON SALEM NC 27107- 2001
BULLOCK, RUSSELL GENE SR BULLOCK, ANNETTE KAY HARTMAN	2637 E GARNER RD	RALEIGH NC 27610-9671

Meeting Summary, June 28, 2022

Question The neighbors wanted to know what the proposed development plan was and how it would potentially impact their property.

Response: The development team shared the 225,000 sf building layout and explained that the project was being developed speculatively similar to the existing Garner Business Park and shared information about existing tenants. The development team explained that the project would have no impact on the neighbor's property.

V. PLAN CONSISTENCY

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

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

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

VI. REASONABLENESS

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

to achieve specific goals and objectives stated within these plans and policies; and thereby render said request a reasonable one. The converse may also apply.

VII. RECOMMENDATION

Staff recommends that once the Town Council has heard comments, concerns and questions from the general public that Conditional Zoning request CZ-22-04 be referred to the Planning Commission for their review and recommendation regarding plan consistency.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022 		
Subject: Walters Buffaloe Development Agreement		
Location on Agenda: Public Hearings 		
Department: Planning and Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Randy King, Pulte Home Company LLC		
<p>Brief Summary:</p> <p>Pulte Home Company LLC is developing a residential project known as Walters Buffaloe. In conjunction with the conditional rezoning request, CZ-MP-21-12, Pulte has proposed a development agreement to address road widening improvements along White Oak Road north and south of Bryan Road. State law requires a legislative hearing prior to the Town entering into a development agreement. A draft of the agreement can be found here.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Provide feedback to the developer and consider approval of the agreement or referral to Planning Commission</p>		
<p>Detailed Notes:</p> <p>The Town may enter into development agreements with private developers pursuant to Article 10 of Chapter 160D of the North Carolina General Statutes. Pulte is proposing to design and construct corridor road improvements so that a traffic signal may be installed at the White Oak and Bryan Road Intersection. Pulte and/or the Town will acquire the necessary right-of-way and easements. Other developers in the corridor would be required to contribute to the total costs of the road improvements.</p>		
<p>Funding Source:</p> <p>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 type="radio"/> No: <input checked="" type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		

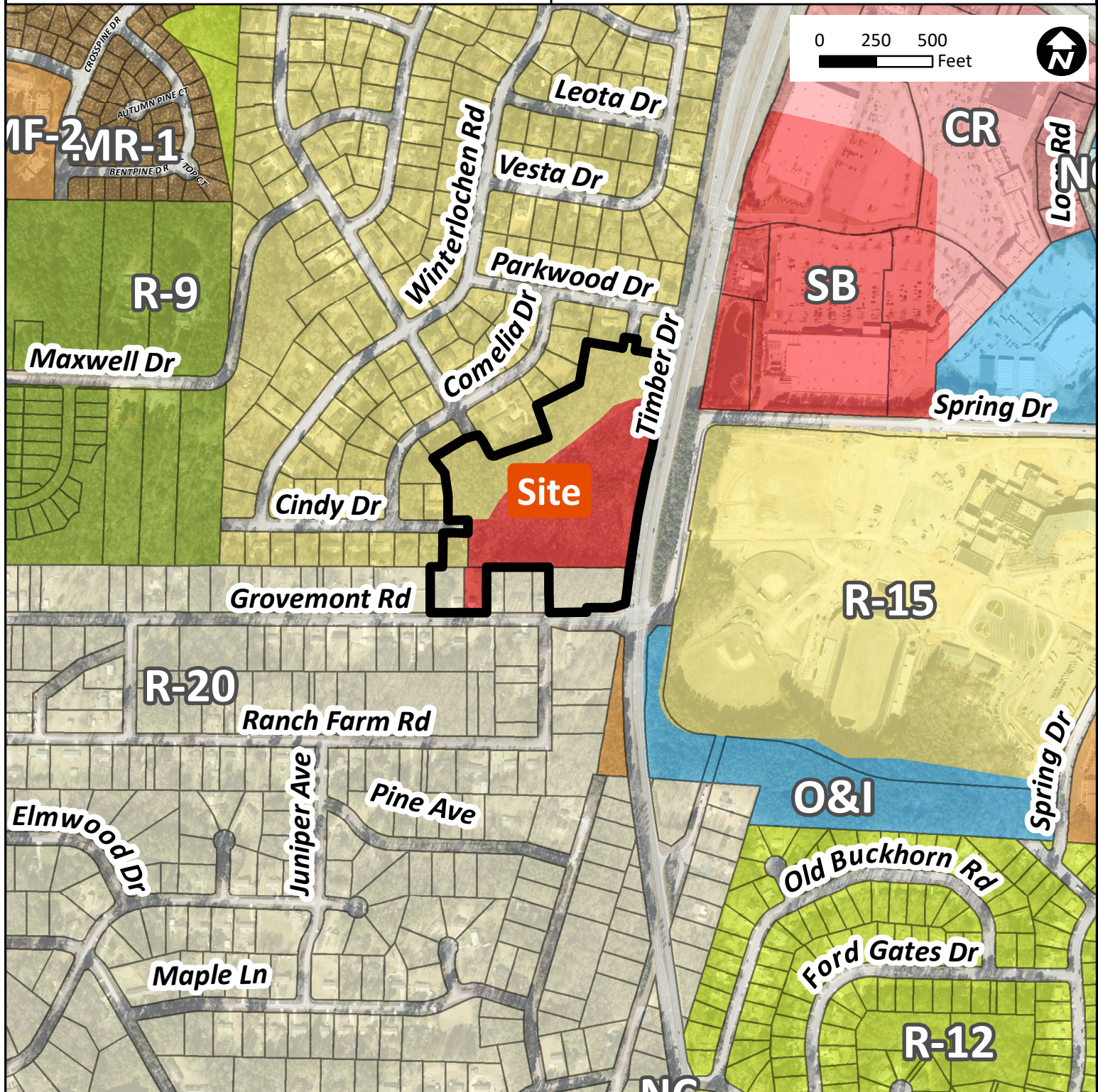
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Tier 2 Conditional Rezoning # CZ-SP-21-02, Greenbrier Park		
Location on Agenda: Old/New Business		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director & Alison Jones, Planner II		
Brief Summary: Conditional rezoning request (CZ-SP-21-02) submitted by Liberty Investment Partners to rezone 9.6+/- acres from Service Business (SB C114), 6.1+/- acres from Single Family Residential (R-15) and 2.1 +/- acres from Single Family Residential (R-20) to Multifamily Conditional (MF-1 C253) for the development of a multifamily residential community. The request offers architectural conditions and amenities along with a site plan. The 17.8-acres site is located at the northwest corner of Timber Drive and Grovemont Road and may be further identified as Wake County PINs: 1701535458, 1701537520, 1701536721, 1701539949, and 1701632572.		
Recommended Motion and/or Requested Action: Consider motion to adopt statement of reasonableness and approve or deny CZ-SP-21-02; Adopt Ord. (2022) 5148.		
Detailed Notes: Two neighborhood meetings were held; one on July 9, 2021 and the other on December 14, 2021. Both were held at Garner United Methodist Church. Submittal of petition for partial site annexation and receipt of special use permit required prior to construction.		
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:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner Planning Department

Conditional District Zoning Application
CZ-SP-21-02



Project: Greenbrier Park
Applicant: Liberty Investment Partners LLC
Owner: Larry & Reba Godwin,
David J & Marilyn B Martin Rev Trust
Location: 312 Grovemont Street
Pin #: 1701535458, 1701537520, 1701536721,
1701539949, and 1701632572

Proposed Use: Multi-Family Residential
Current Zoning: R-15, R-20, SB
Proposed Zoning: MF-1 C253
Acreage: 17.8
Overlay: Timber Drive Overlay District

Planning Department Staff Report

TO: Honorable Mayor Marshburn and Town Council Members

FROM: Jeff Triezenberg, AICP, GISP; Planning Director
Alison Jones; Planner II

SUBJECT: *Tier 2 Conditional Rezoning w/ Site Plan # CZ-SP-21-02, Greenbrier Park*

DATE: October 3, 2022

I. PROJECT AT A GLANCE

Project Number(s): CZ-SP-21-02 Conditional Zoning Map Amendment

Applicant: Liberty Investment Partners

Owners: David & Marilyn Martin; Larry & Rebecca Godwin

Initial Submittal Date: April 2021

General Description -

Project Area & Location: 17.8+/- acres

Wake Count PIN(s): 1701535458, 1701537520, 1701536721, 1701539949, and 1701632572

Current Zoning: At time of application: Single-Family Residential (R-20), Single-Family Residential (R-15), and Service Business Conditional (SB C114)
As of 7-5-22: Residential 2 (R2) and Neighborhood Mixed Use (NMX C114) Conditional

Requested Zoning: At time of application: Multifamily (MF-1 C253) Conditional
As of 7-5-22: Multifamily A (MF-A C 253) Conditional

Overlay: At time of application: Timber Drive Overlay (O-TD)
As of 7-5-22: Residential Thoroughfare Overlay (RTO)

Key Meeting Dates:

Public Hearing: February 22, 2022 and August 1, 2022

Planning Commission: September 12, 2022

Action: TBD

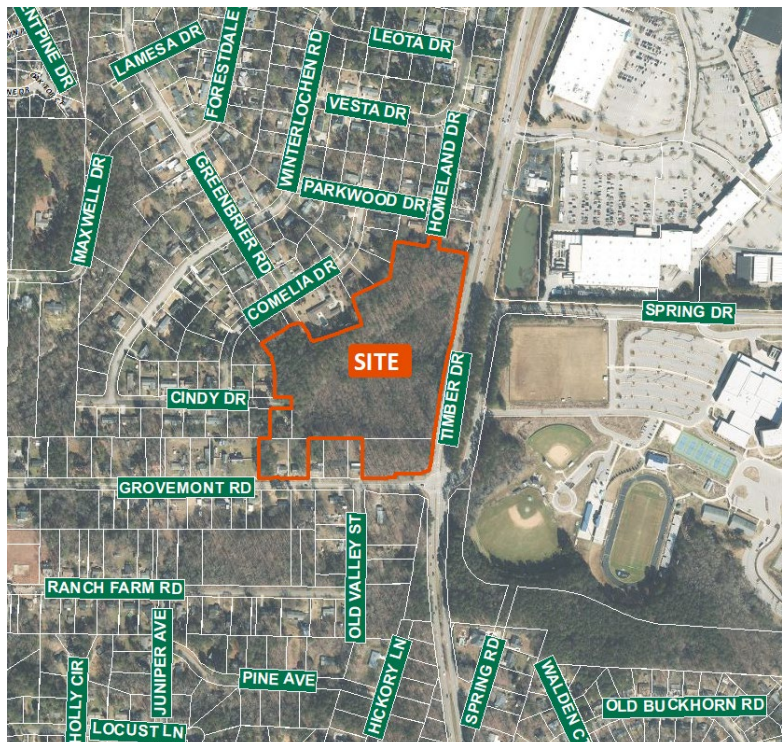
II. BACKGROUND / REQUEST SUMMARY

Request: Tier 2 Conditional zoning map amendment with site plan request submitted by Liberty Investment Partners to conditionally rezone 9.6 +/- acres from **Service Business Conditional (SB C114)**, 6.1 +/- acres from **Single-Family Residential (R-15)**, and 2.1 +/- acres from **Single-Family Residential (R-20)** to **Multifamily Conditional (MF-1 C253)** for the development of a multifamily residential community. The request offers architectural conditions and amenities along with a site plan. The 17.8-acre site is located at the northwest corner of Timber Drive and Grovemont Road and may be further identified as Wake County PIN(s): 1701535458, 1701537520, 1701536721, 1701539949, and 1701632572.

This project was submitted after the adoption of a 160D-compliant version of the UDO was approved on March 16, 2021; but before the contents of a Master Plan were fully fleshed out. Therefore, a full site plan was submitted for review.

Approximately 2.185-acres of this 17.8-acre project site are not annexed, and annexation would be a condition of any approval. Because the zoning anticipates more than 100 multifamily dwelling units, the site plan will also require a subsequent quasi-judicial hearing before the Council to grant a special use permit for the specific use (Section 3.9.2.B.3., in effect 4/2/2021).

Effective July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. The request is now amended to be from Neighborhood Mixed Use (NMX C114) and Residential 2 (R2) to Multifamily Conditional (MF-A C253). However, due to permit choice rules, the specific conditions of the request are to be considered according to the rules of the former UDO in effect at the time of application (4/2/2021) governing the former Multifamily (MF-1) zoning district.



III. ZONING ANALYSIS

Existing: Approximately 8.2 acres of the site are zoned **Residential (R2)**. The R2 district allows single and two-family residential uses at a maximum rate of 2 dwelling units per acre along with other uses listed below.

The following is a list of permitted uses in the R2 District:

- | | |
|--|--|
| 1. Single-Family Detached | 11. Golf Course or Country Club, Private |
| 2. Two-Family Dwelling | 12. Horse Stables and Related Facilities |
| 3. Manufactured Home – Class A | 13. Religious institutions |
| 4. Group Care (9 or fewer residents) | 14. Public Park, Passive Open Space, Nature Park |
| 5. Assembly, Civil, Service Fraternal Clubs, Lodges and Similar Uses | 15. Bed and Breakfast Home, 8 rooms or fewer |
| 6. Community Center | 16. In Home Family Child Care Home |
| 7. School, Primary or Secondary | 17. Minor Utility |
| 8. Emergency Services | 18. Agriculture or Silviculture |
| 9. Cemetery | |
| 10. Religious Institution | |

Approximately 9.6 acres of the site are currently zoned **Neighborhood Mixed Use (NMX C114 Conditional)**. The NMX district is intended to accommodate low intensity commercial enterprises that provide goods or services primarily to residents of the surrounding neighborhood so that residents have convenient access without necessitating cross-town trips. The uses permitted are of a nature and scale that are compatible with nearby residences. The district provides areas for uses that include offices, professional services, and small-scale retail at key locations and may act as a transition from residential neighborhoods to the more intense Commercial Mixed Use district. The C114 conditional zone was established in 2002 (CUD-Z-02-02) for the development of K&S Cafeteria (CUP-SP-02-07). The corresponding conditional/special use permit was also approved, but the cafeteria did not move forward due to that project's need for and failure to secure additional access from Timber Drive.

The following is a list of permitted uses selected for the C114 zone from the Service Business district list in the previous 1984 Land Use Ordinance (LUO):

A. Permitted Uses

- | | |
|-------|---|
| 1.000 | Residential |
| 1.220 | Condominiums only (Apartments excluded) |
| 2.000 | Sales & Rental of Goods, Merchandise, and Equipment |
| 2.100 | Sales & Rental of Goods, Merchandise & Equipment with no Storage or Display of Goods Outside Fully Enclosed Building. Higher Ratio of Parking Need to Building Square Footage |
| 3.000 | Office, Clerical, Research and Services not Primarily Related to Goods or Merchandise |

- 3.100 Office, clerical, research and services not primarily related to goods and merchandise: all Operations Conducted Entirely within a Fully Enclosed Building
- 5.000 Education, Cultural, Religious, Philanthropic, Social, Fraternal Uses
 - 5.200 Churches, Synagogues and Temples including associated residential structures for Religious Personal and associated buildings but not including Elementary or Secondary School Buildings
- 7.000 Institutional Residence of care or Confinement Facilities
 - 7.100 Hospitals, Clinics, other Medical including Mental Health, Treatment Facilities in Excess of 10,000 sq. of gross floor area.
 - 7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions.
 - 7.300 Group Care Institution
- 8.000 Restaurants
 - 8.100 Restaurants without Drive-In Service
- 21.000 Nursery Schools, Day Care Centers

B. Prohibited Uses

1. All other Service Business uses not listed above are prohibited.

C. Other Conditions

1. All residential lots, marked on the "Zoning Limits Map" prepared by Sullivan Surveying for David J. Martin Irrevocable Trust with a "*" shall have a two zone buffer between them and the subject property. The first zone being a 25' landscape buffer along the rear of their residential lot which shall be undisturbed and the second zone being an additional 25' landscaped buffer with a six-foot tall earth berm constructed in the middle of this second zone, unless the individual residential property owner agrees to waive/modify this requirement.
2. Lot 351 and the 60' right-of-way of Cindy Drive shall have a two-zone buffer between them and the subject property. The first zone being a 25' landscape buffer along the east side of the residential lot and road which shall be undisturbed, other than a utility easement which shall run perpendicular to this buffer to connect to the existing water and sewer lines that exist at the end of Cindy Drive and the second zone being an additional 25' landscape buffer with a six foot tall earth berm constructed in the middle of this second zone, excluding the 75' length starting from the southeastern corner of Lot 351 which may be subject to a road/driveway easement to service the rezoned property.
3. Exterior parking lot lighting will be controlled by applicant following the Town of Garner's Lighting Plan, whereby the applicant will be sensitive to off-site lighting to adjacent residences.

4. All structures built will incorporate at least 85% of their exterior in brick/masonry finish.
5. The parcels marked with a # shall have a 25' landscaped buffer along the entrance driveway.
6. Street access connections for vehicular use to the existing streets in Greenbrier subdivision shall be prohibited. **Note:** *The ordinance in effect at the time of this application has limitations on permanent dead-end streets that render this type of condition void for Cindy Drive. Only Homeland Drive and Greenbrier Road are acceptable as permanent dead-end streets.*
7. No use that sells, serves or distributes alcoholic beverages will be allowed on the site.

Proposed: The proposed zoning of the 17.8-acre site is/was **Multifamily Conditional (MF-1 C253)**. The MF-1 district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings at densities of up to a maximum of around 9 units per acre, less than the 14 units per acre allowed under the higher MF-2 district. Permitted uses include single-family cluster, apartments, townhomes, condominiums, and duplex and triplexes, along with other uses listed below.

The following is a list of permitted uses in the MF-1 District:

- | | |
|--|---|
| 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 is a list of applicant-proposed conditions for the MF-1 C253 conditional district (4 of 21 selected):

1. Permitted use table:

Use Category	Specific Use	MF-1 C253
Household Living*	Two-Family Dwelling	P
	Townhouse	P
	Condominium	P

Use Category	Specific Use	MF-1 C253
	Multifamily (triplex and higher, including apartment)	P

** Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.*

2. The maximum residential density shall not exceed 8 units per acre.
3. Vinyl siding shall be prohibited on all buildings.
4. No exposed slab foundation.
5. All garage doors shall have carriage door hardware and windows.
6. All townhomes shall have a minimum 8" roof overhang excluding gutters.
7. A minimum 45 sf outdoor deck or patio is required on all dwelling units.
8. Windows on all facades will have a 2 over 1 pane pattern.
9. Shutters or window trim shall be provided on all front facade windows and all side façade windows with right of way frontage.
10. The clubhouse in the amenity area shall contain a minimum 2,000 sf heated area.
11. The surface area of the pool in the amenity area shall be a minimum 1,000 sf.
12. A 6' wooden privacy fence shall be included in the perimeter buffer along the adjacent properties with the following PIN numbers: 1701533594, 1701645615, 1701643609, 1701641623, and 1701535942.
13. A 6' wooden privacy fence shall be included in the perimeter buffer along the adjacent properties with the following PIN numbers: 1701548340, except that the fence shall not be required where the perimeter buffer and/or open space exceeds 50' in width.
14. A perimeter buffer with a minimum width of 35' shall be provided adjacent to PIN 1701545271.
15. Within each building, there shall be no more than 2 units without a 2 feet horizontal offset of the footprint of the front facade.
16. The front elevation of each unit shall have two types of siding, i.e. lap and shake, or board and batten.
17. The front façade of the first floor of each unit shall be at least 20% masonry or brick.
18. Each unit shall have front-facing roof articulation.
19. The minimum front setback for all units shall be 25'.

Overlay: This property is located within the **Residential Thoroughfare Overlay (RTO)**. This overlay district has additional development standards and use restrictions for properties with frontage along this corridor. There are several uses that are prohibited or restricted within the

overlay district. No prohibited uses are proposed; however, those uses prohibited within the overlay include the following:

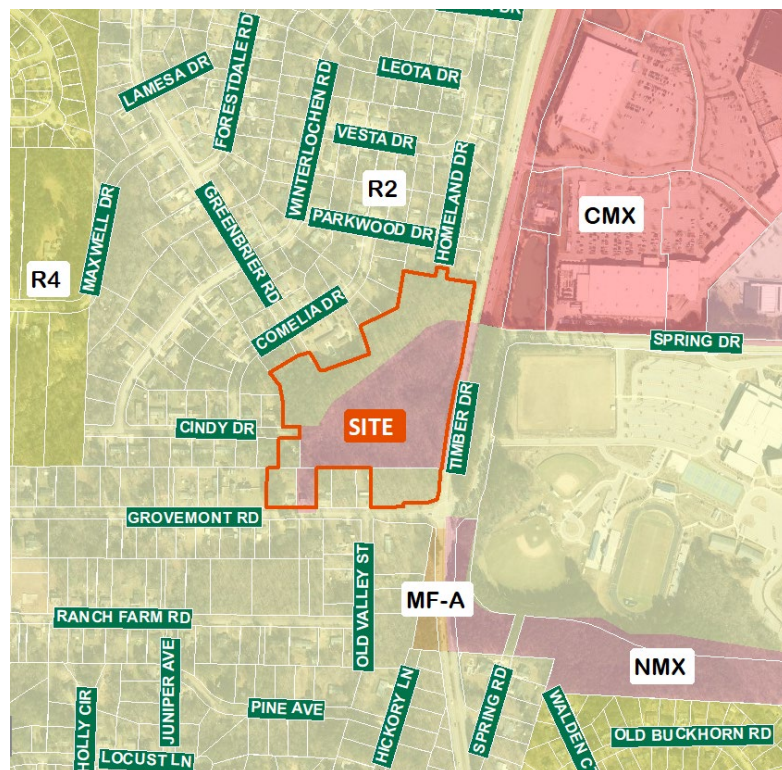
1. Hotel and motels.
2. Sales and rental of goods, merchandise and equipment with storage operations and display of goods outside fully enclosed building.⁷
3. Offices, clerical operations, research, and services not primarily related to goods or merchandise where operations are conducted outside a fully enclosed building.
4. Manufacturing, processing, creating, repairing, renovation, painting, cleaning, assembling of goods, merchandise and equipment.
5. Pool halls.
6. Golf driving ranges (not accessory to golf courses), miniature golf courses, skateboard parks, water slides and similar uses.
7. Drive-in movie theaters.
8. Bars, nightclubs, ABC permitted private clubs.
9. Adult cabarets and establishments.
10. Vehicle sales, rental or repair.
11. Storage and parking.
12. Scrap materials, salvage yards, junkyards, automobile graveyards.
13. Service and enterprises related to animals with outside facilities for keeping animals.
14. Mining or quarrying operations; including on-site sales of products; coal or aggregate sales and/or storage; concrete mixing plant.
15. Reclamation landfill.
16. Towers and antennas greater than 35 feet tall.
17. Open air markets.
18. Bus stations.
19. Taxi base operations.
20. Commercial greenhouse operations.
21. Recyclable material collection centers.
22. Flex spaces.
23. Outdoor entertainment facilities.
24. Jail/detention facility.
25. Self-storage facilities.
26. Solar farms.

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

Case	Applicant	Location	Zoning Change
CUD-Z-87-8	Westminster Company	Southside Shopper site at Timber Drive and Woodland Rd	R-12 to NC C10
CUD-Z-96-9	Springfield Development Corp	Garner Towne Square	CB to SB C57
CUD-Z-99-07	Dalton Ward	South of High School	MF-2 to O&I C92
CUD-Z-02-02	David Martin	Timber Drive & Grovemont Rd (KS Cafeteria site) Rezoning Site	R-15 and R-20 to SB C114
CUD-Z-12-04	BRE Throne Garner Towne Square	Old movie theater (to school)	SB C57 to O&I C165
CZ-SB-21-02	Craig Duerr, n/f Stewart, Inc.	South of High School	O&I C92 to MF-1 C244 (Denied)

Adjacent Zoning and Land Use:

North: R-2 Greenbrier / Single-Family
South: R-2 Single-Family
East: R-2 Garner High School
CMX Commercial (Home Depot)
West: R-2 / R-4 Greenbrier / Other Residential



IV. COMMUNITY INFORMATION

Overall Neighborhood Character: This area in the vicinity of Timber Drive and Grovemont Rd / Spring Drive has been developed into a mix of single-family and commercial uses with limited office and multifamily just beyond. Garner High School is also in the area. The most intense uses are strung along the east side of the Timber Drive Corridor, with limited transition space as you move away from the core area.

Traffic: At a maximum of 105 multifamily units (reduced from 118), this project did not require a Traffic Impact Analysis. The project site will have primary access off Grovemont Road and Timber Drive with internal connectivity to Cindy Drive and Homeland Drive in Greenbrier Subdivision. For reference, the NCDOT historical average daily traffic counts along Timber Drive and Grovemont Road are as follows:

Timber Drive (Near Grovemont Rd)

2009 – 18,000	2015 – 21,000
2011 – 18,000	2017 – 19,000
2013 – 19,000	2019 – 21,500

Grovemont Rd

2009 – 3,700	2015 – 3,400
2011 – 3,600	2017 – 3,700
2013 – 3,900	2019 – 3,900

TRC members have carefully considered the completion of existing stubs: Cindy Drive, Greenbrier Road, and Homeland Drive.

- 1) **Cindy Drive** – this is a constructed stub of approximately 330’ that exceeds maximum permanent dead end street lengths of 200’ and is therefore non-conforming without construction of a permanent turnaround and variance from the Board of Adjustment (allowed to vary the maximum length up to 500’) related to “steep slopes or other environmental restrictions” (which staff does not believe are present).
 - Development of this adjacent parcel requires the non-conformity to be addressed, and the historic eligible status of the Greenbrier neighborhood could impact how a permanent turnaround could or could not be done.
 - Garner Fire has identified significant benefits from this stub completion (see below).
 - Outlet to Grovemont Road recommended in Transportation Plan.
 - Recommended for completion with proactive traffic calming measures endorsed by the Town Engineer.
- 2) **Greenbrier Road** – this is a paper stub and therefore is not “complete” from a construction standpoint.
 - Not recommended because other constructed stub alternatives exist.
- 3) **Homeland Drive** – this is a constructed stub of approximately 130’ that acts as a permanent turnaround point for Parkwood Drive.

- Garner Fire has identified some benefit from this stub completion (see below).
- Recommended for completion to distribute trips and dilute any increases in traffic volumes between Cindy and Homeland drives.

Stubs were required at the time of development of the existing neighborhoods to ensure logical extensions of the local street system. Disregarding these stubs eliminates long-term planned interconnectivity, concentrating all traffic on thoroughfares and contributing to their further congestion. With the proposed street connection, the existing Greenbrier neighborhood will gain an additional option to come and go via Grovemont Road and the signalized intersection at Timber Drive which staff has directed the applicant to receive preliminary feedback from NCDOT regarding potential adjustments to the signal phasing.

Garner Fire-Rescue Impact Study Findings by Capt. Don Johnson (emphasis added):

The connections indicated between the existing Greenbrier Community and the proposed Townes @ Greenbrier in the plans dated April 1st, 2021, that came through TRC, appear to offer a significant benefit to responding emergency apparatus and personnel.

Currently, there appear to be two entrances to the new subdivision, with one being off of Grovemont Rd to Cindy Dr and the other being off Timber Dr, into Homestead Ln. The Grovemont entrance offers significant time and distance reduction to the central and western areas of existing Greenbrier, while the Timber Dr entrance to Homestead lessens the time and distance to the eastern areas of same, provided DOT allows a cut-over through the median for northbound Timber Dr traffic.

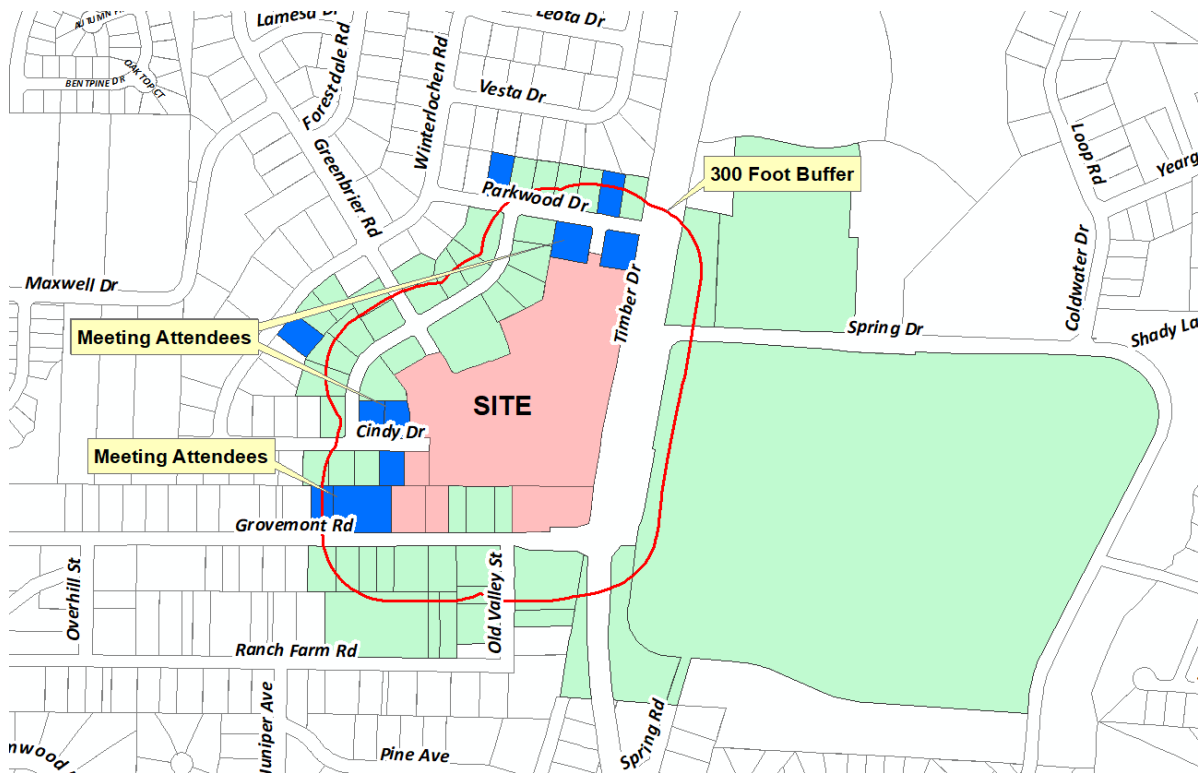
GIS and site plans collectively indicate that travel distances would be cut in half and travel time cut by approximately two-thirds, to a common point within the existing Greenbrier Community.

The common intersection I used for this measurement is Cindy Dr and Comelia Rd. By current travel routes, the shortest route is Timber Dr to Hwy 70 to Jessup. After proceeding through the neighborhood, the estimated distance from Garner Fire Station #3 is 3.5 miles with a travel time of approximately 7-8 minutes. The same intersection (Cindy & Comelia) can be reached via the new proposed entrance off Grovemont Rd in approximately 2 minutes at a distance of 1.4 miles from GFR Station 3.

I can certainly understand the concern of the existing neighborhood residents as they probably anticipate more traffic volume on the existing streets from the new additional neighborhood. While empathetic to the situation, the overall benefit of 50% reduced response time and travel is **very significant** and beneficial to all the residents, existing and new.

Minutes count in emergency situations and the time saved due to proper interconnectivity creates a more equitable response time for all the citizens of both neighborhoods.

Neighborhood Meeting #1: Staff identified about 60 properties within the notification radius as shown below and provided the list below to the applicant for first class mailed notices. The developer has conducted two (2) neighborhood meetings as well as held calls with neighborhood HOA leadership. The first was held on July 9, 2021, at Garner United Methodist Church with approximately 27 in attendance including many outside of the notice list area.



OWNER	ADDR1	ADDR2
ALI, ZULFIQAR WAHAB, SANAM	4908 GREENBRIER RD	RALEIGH NC 27603-4258
ANTIEL, NATHAN M ANTIEL, KAYLA M	4407 PARKWOOD DR	RALEIGH NC 27603-4237
BRE THRONE GARNER TOWNE SQUARE LLC	500 E BROWARD BLVD STE 1130	FT LAUDERDALE FL 33394-3022
CRIPPEN, MARTIN JOSEPH CRIPPEN, JUDY A	5005 WINTERLOCHEN RD	RALEIGH NC 27603-4251
DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST	1201 BUCK JONES RD	RALEIGH NC 27606-5635
ECJ MAGNOLIA INVESTMENTS INC	PO BOX 7	HAGATNA GU 96932-0007
FERRELL, JAMES S FERRELL, SHIRLEY S	4904 COMELIA DR	RALEIGH NC 27603-4204
FIELDS, LARRY A	325 GROVEMONT RD	RALEIGH NC 27603-4213
FORREST, JOYCE J	4908 COMELIA DR	RALEIGH NC 27603-4204
FREBELOR DEVELOPMENT CORP	1302 COLONY DR	RALEIGH NC 27603-4606
FREEMAN, DEBRA B PARRISH, NANCY B	896 BALLARD PRUITT RD	FRANKLINTON NC 27525-9522
GARDNER, RONALD L GARDNER, CAROLYN S	4919 CINDY DR	RALEIGH NC 27603-4205
GODWIN, LARRY R GODWIN, REBA T	1919 FORDHAM DR APT 316	FAYETTEVILLE NC 28304-3664
GRAHAM, JASON SCOTT TRUSTEE THE JASON SCOTT GRAHAM LIVING TRUST	4416 PARKWOOD DR	RALEIGH NC 27603-4238
GREEN, JOHN R GREEN, MOLLIE T	4921 CINDY DR	RALEIGH NC 27603-4205
HD DEVELOPMENT OF MARYLAND INC	PO BOX 105842	ATLANTA GA 30348-5842
HOGGE, MARJORIE C	5009 WINTERLOCHEN RD	RALEIGH NC 27603-4251
HOLT, GEORGE HOLT, JUDITH	200 E MEMORY LN UNIT 2	HYDE PARK UT 84318-2702
HOLT, JENNIFER	4901 COMELIA DR	RALEIGH NC 27603-4203
HOWELL, BARBARA L POLLOCK	5108 OLD VALLEY ST	RALEIGH NC 27603-4240
HUMPHRIES, RICHARD G HUMPHRIES, LILLIE S	320 GROVEMONT RD	RALEIGH NC 27603-4214
J & M SMITH ENTERPRISES LLC	151 TECHNOLOGY DR	GARNER NC 27529-7940

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KING, MARY R	4801 HOMELAND DR	RALEIGH NC 27603-4227
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LAIL, BRIAN EDWARD LABANG, BOUNTHAY ANN	4812 COMELIA DR	RALEIGH NC 27603-4202
LEE, JERRY ALAN LEE, LYNETTE BOYKIN	4805 COMELIA DR	RALEIGH NC 27603-4201
LEE, JERRY ALAN LEE, LYNETTE BOYKIN	4809 COMELIA DR	RALEIGH NC 27603-4201
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MASSENGILL, RUFUS JR	317 COUNTRY CLUB DR	FAYETTEVILLE NC 28301-7609
MATHIS, JUDITH LEAH	304 GROVEMONT RD	RALEIGH NC 27603-4214
MCCLURE, WILLIAM W JR MCCLURE, JEAN G	4401 PARKWOOD DR	RALEIGH NC 27603-4259
MCCORMICK, BRIANNA MCCORMICK, JOSEPH	4912 CINDY DR	RALEIGH NC 27603-4206
MCLAUGHLIN, NATHAN L MCLAUGHLIN, JENNIFER N	4415 PARKWOOD DR	RALEIGH NC 27603-4237
MCLEAN, DEBORAH R	4920 COMELIA DR	RALEIGH NC 27603-4204
MENDOZA, BERTHA ALICIA	4808 COMELIA DR	RALEIGH NC 27603-4202
MOORE, NATHAN	329 GROVEMONT RD	RALEIGH NC 27603-4213
OUSLEY, CLINTON ISAAC	4707 WINTERLOCHEN RD	RALEIGH NC 27603-3865
PEARCE, LISA S	704 NELLANE DR	GARNER NC 27529-3831
PEREZ, ALDEGUNDO ALEJANDRO HILARIO, BASILISA REYES	308 GROVEMONT RD	RALEIGH NC 27603-4214
PERRY, W GATTIS	629 SHADYWOOD LN	RALEIGH NC 27603-9321
PRENTICE, PAMELA K	5001 CINDY DR	RALEIGH NC 27603-4207
PRESTIGE HOME SOLUTIONS, LLC	500 CARDINAL DR	RALEIGH NC 27604-2210
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RANEY, STEPHANIE RANEY, KRISTEN	4915 COMELIA DR	RALEIGH NC 27603-4203
ROBINSON, RAHEEM R ROBINSON, KYNA ROSALIND ZIMME	4404 PARKWOOD DR	RALEIGH NC 27603-4238
RODRIGUEZ, JOSE LUIS	401 GROVEMONT RD	RALEIGH NC 27603-4215
SMITH, DAVID E II WRIGHT, JULIE	4909 GREENBRIER RD	RALEIGH NC 27603-4257
SPRINGFIELD DEV CORP	7424 CHAPEL HILL RD	RALEIGH NC 27607-5079
SPRINGFIELD DEVELOPMENT CORP	7424 CHAPEL HILL RD	RALEIGH NC 27607-5079
STEPHENSON, MICHAEL D STEPHENSON, MARY K	5013 WINTERLOCHEN RD	RALEIGH NC 27603-4251
THOMPSON, DIANNE C	2123 WILLOW HILL LN	CLAYTON NC 27520-5943
TOMLINSON, FRANCES W	4813 COMELIA DR	RALEIGH NC 27603-4201
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TUSSEY, VIRGINIA ANN	5005 CINDY DR	RALEIGH NC 27603-4207
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WAKE CNTY BOARD OF EDUCATION	1551 ROCK QUARRY RD	RALEIGH NC 27610-4145
WALL, BARRY	301 GROVEMONT RD	RALEIGH NC 27603-4213
WEAVER, NATHANIEL M	116 QUEENSFERRY RD	CARY NC 27511-6312

Neighborhood Meeting #1 Summary:

Question 1: What is the purpose of the connection to the existing neighborhoods?

Applicant Response: The existing stub streets were built with the intention of connecting to future development and this proposed development is required to complete the connections. Providing the connections will create better overall connectivity in the area and will provide superior access for emergency services.

Question 2: Would it be feasible from a developer's point of view to not have the connections to the existing neighborhood?

Applicant Response: Yes. It would be feasible to limit access to our development to the Grovemont and Timber Drive entrances. However, the development Code requires these connections.

Question 3: Neighbors expressed concerns regarding the safety of children playing outside due to increased traffic.

Applicant Response: We do not expect a substantial increase in traffic from our development because the proposal includes similar residential uses and will also provide outlets to both Timber Drive and Grovemont. We expect most residents of the proposed development to use the entrances that are proposed with our development. In addition, the driveways and garages will be located directly in front of the proposed townhomes and perpendicular to the street, which will help to control traffic within our project.

Question 4: What will the traffic impacts on Grovemont and Timber Drive be once the town home community is built? What type of traffic studies have been conducted?

Applicant Response: We have not conducted a traffic study because the amount of units we are proposing do not meet the threshold to require it. However, we will make any traffic improvements that are required by the NCDOT as a result of our project. Any such improvements have not been determined at this stage.

Question 5: Have properties on Cindy Road been purchased?

Applicant Response: Yes. There are two properties on Cindy Road that we have purchased and plan to include in this development.

Question 6: What is the approximate rental rate you are expecting to receive?

Applicant Response: We do not know actual rental rates at this time. We have conducted market research and our product type will be competing with people looking to rent a single-family home. Our prospective renters will likely be families that are seeking accommodations with a front door, back door, garage, no neighbors above or below, etc.

Question 7: What sort of criteria are you going to use to screen potential residents?

Applicant Response: We will hire a third party to conduct background checks, look at credit scores and criminal histories, etc. We are subject to fair housing guidelines and will stay within the boundaries of what is permissible within the law, but we still plan to be very thorough in our screening process.

Question 8: During the construction phase, what are the time constraints and how do you plan on managing dust and dirt?

Applicant Response: Once construction starts, it will be a 16 to 20-month process altogether. In terms of how we will handle dust and dirt, we are regulated by Wake County and the Town of Garner. We will use appropriate tools available in our industry such as sediment traps. These types of measures are generally installed around the perimeters of the development.

Question 9: Would you be willing to consider blocking traffic into our neighborhoods from contractors during the construction process?

Applicant Response: Yes. If allowed, we will consider blocking traffic to the existing neighborhoods from contractors during the construction process.

Question 10: Regarding buffer zones, do you plan to add additional density?

Applicant Response: We have not reached that level of detail in our plans, but will continue to evaluate buffers and will consider adding additional density to those buffers. However, take note that along the border of the development, you will at most only see a two-story building.

Question 11: There is a concern regarding parking lots and headlights shining into existing homes that surround the development. There is also a concern regarding parking lots drawing more crime into the area.

Applicant Response: We understand your concerns. Keep in mind that all these homes will have a one car garage and all resident parking will be in front of the buildings. There will not be parking behind any of the buildings. There will only be three small parking lots and we will evaluate buffers in those areas.

Question 12: Will the pool parking lot be lit?

Applicant Response: We have not gotten to that level of detail yet.

Question 13: 17 years ago, there was a project on this same plot of land and NCDOT was unable to approve a cutout to Grovemont. What will happen if NCDOT will not give you the approval for the cutout to Grovemont?

Applicant Response: We do not have approval yet, and if NCDOT will not give us that approval, it would be a deal breaker for us. However, we are currently working with the town to review comments and have not gotten to the permitting phase.

Question 14: Do you intend to put traffic signals at the Grovemont entrance?

Applicant Response: No. Unless it is required by NCDOT, we do not plan on putting traffic signals at the Grovemont entrance.

Question 15: There is a concern regarding traffic during the construction phase.

Applicant Response: Grovemont and Timber Drive will be the main construction entrances.

Question 16: In regard to the containment pond, will there be any mosquito population control regulations to ensure no bloodborne pathogen exposure to local residents?

Applicant Response: Currently, we do not have any maintenance plans in place for the containment pond. We will adhere to construction industry practices and Town of Garner regulations and will also consider whether mosquito population control measures are needed.

Question 17: There is a concern regarding water because our creeks currently do not adequately support runoff.

Applicant Response: We are going above and beyond the normal code requirement for our stormwater containment pond by requiring it to handle the 100 year storm.

Question 18: What sort of impact can we expect in our property values once this community is established?

Applicant Response: Based on our experience, the price of your homes should not be impaired and may benefit from this community. We suggest looking into relatively high-end rental communities and see how well maintained they are. As a reference, please check into the Chase apartments (3508 Garden Road, Burlington NC). There are a lot of people now who rent by choice. Also, keep in mind that a lot of these town homes will have the master bedroom on the first floor which will add to the appeal, and there are no one-bedroom homes.

Question 19: Will you allow section 8 of the Housing Act of 1937?

Applicant Response: We are not planning to offer Section 8 housing.

Question 20: How will traffic be managed?

Applicant Response: We plan to have stop signs, and with the proximity of the driveways to the street, traffic will be slowed. Our site plans will be reviewed by the Town to ensure we meet all safety requirements.

Question 21: Will you allow street parking?

Applicant Response: No.

Question 22: Would you be willing to share a copy of the sedimentation plan?

Applicant Response: There is not a sedimentation plan prepared yet. It is scheduled to come after we have our permit.

Question 23: Where are you in the process of submitting the site development plan and getting approval from the town? Is this the first site development plan that is before us?

Applicant Response: We have been through one full round of review comments at the staff level. The site development plan that you see today is the revised version of the first plan. There were not any significant changes except for the stormwater pond to control the 100-year storm. We are currently waiting for the Town of Garner to send us our second round of comments. We will address the comments we get from the Town

and plan to resubmit to the town by the middle to end of this month. Entitlement will be next, and we are asking for MF1 zoning.

Question 24: Have any encroachments onto existing buffers been addressed with respect to the first site development plan?

Applicant Response: We have increased the buffers from the first plan to address the comments we received.

Question 25: How many parking spots are there in total?

Applicant Response: There are 303 parking spots in total.

Question 26: What is the size of the single garage?

Applicant Response: The single garage is 12 feet wide.

Question 27: Regarding storm water runoff, how is the water being diverted towards the pond?

Applicant Response: All water will be collected in the street and then piped over to the pond. There will be a ridge split in the middle of the development and water will feed into the pond from two locations.

Question 28: What is the town's regulation regarding the number of access points per unit?

Applicant Response: There is not a number of required access point per unit. However, the provision of two neighborhood connections provides better access for emergency vehicles.

Question 29: There is a concern regarding the cut through using Homeland Drive and the potential debris coming through that area.

Applicant Response: The current plan is to connect to the stub street on Homeland Drive. During construction, that entrance will be blocked off. From the end of the street to the location where trees will start to be cleared is roughly 60 feet. There is a distance of 80 feet from the end of the drive to the location of buildings. Homeland Drive will be widened in the development, but the road will not be widened in front of private property where current residents live.

Question 30: You mentioned the code requires you to have the Homeland Drive connection. With that being said, are you okay with the traffic?

Applicant Response: Yes, we feel that traffic will be adequately managed.

Question 31: How will trash and garbage be managed?

Applicant Response: Each town home will have individual roll out carts that will be stored in their private garage. On trash day, the roll out carts will be put at the end of each driveway.

Question 32: Looking at section 23 in the planning development memorandum, if you are using individual roll out carts for trash collection, why is there a listing for a trash compactor?

Applicant Response: There will not be a trash compactor. We included a diagram in the plans for the location of the canisters in the garage.

Question 33: Will yard maintenance be provided?

Applicant Response: Yes.

Question 34: Will you please describe the material used and overall look for the exterior of the town homes?

Applicant Response: We plan on using a mix of brick, cultured stone, and Hardie board for the exterior of the town homes. The town homes will have a fairly traditional look overall, and there will be variation in the look of the homes. The units will be off set, and we plan to have six different building types.

Question 35: Will the clubhouse be large enough to hold parties?

Applicant Response: By apartment standards, the clubhouse is small. There will be a room in the clubhouse called a club room that will be available for residents to use. There will be full time management on site.

Question 36: What is the time frame for the development to be finished?

Applicant Response: We hope to start construction late next spring. We estimate that construction will last 20 months. This means we plan to finish the development at some point in 2024.

Question 37: Neighbors expressed concerns about traffic on Grovemont. It is not abnormal for cars to be traveling at speeds of 45-50 mph when the speed limit is currently 35 mph.

Applicant Response: The Grovemont entrance is regulated by NCDOT, and we have not yet gotten a permit. We do not know if we will have a turn lane at the Grovemont entrance because we do not yet have a permit.

Question 38: Neighbors expressed concerns about noise from trash pickup.

Applicant Response: Units will have individual trash bins, and we have provided buffers to limit noise.

Question 39: Have you developed any type of properties like this in the Raleigh/Garner area?

Applicant Response: We have developed apartments in the Raleigh/Cary area. In the apartment business, we have noticed that people like renting town homes more than typical apartments because nobody is living above or below the home. We have a site in Asheville and a site in Durham that are similar to this proposal in Garner. All three are currently in the planning stage of development.

Question 40: There is a townhome development right in front of Joyner Elementary School in Raleigh. Is that an accurate representation of what you are envisioning for the Timber Drive Apartments?

Applicant Response: Those units are larger than what we are envisioning, but they are a similar concept.

Question 41: Do you have pictures of what you are proposing?

Applicant Response: Yes. We have renderings that we can show you.

Question 42: When this project is completed, who will be responsible with the management of the company?

Applicant Response: John Barker and George DeLoache will be the owners after it is developed. We are pursuing 40-year financing. Our intention is to own them and eventually give them to our kids. Our intention is for our families to own the development indefinitely.

Question 43: Do you plan to build the development yourselves, or will you contract out? If you plan to hire an outside contractor, do you have any ideas on who that might be?

Applicant Response: We will contract out. We are considering some larger scale contractors, but have not made a selection.

Question 44: Is there going to be an entrance sign for the development on Grovemont?

Applicant Response: We have not gotten that far in the planning process, but do plan to have a sign. The sign will be set back from the road.

Question 45: Neighbors expressed concerns regarding the need for a designated turn lane going into the Grovemont entrance and potentially high rental prices.

Applicant Response: If required by NCDOT, we will provide a turn lane going into the Grovemont entrance. We are proposing a high-quality product and our rental process will ultimately be determined by the market.

Question 46: How will nitrogen runoff be managed?

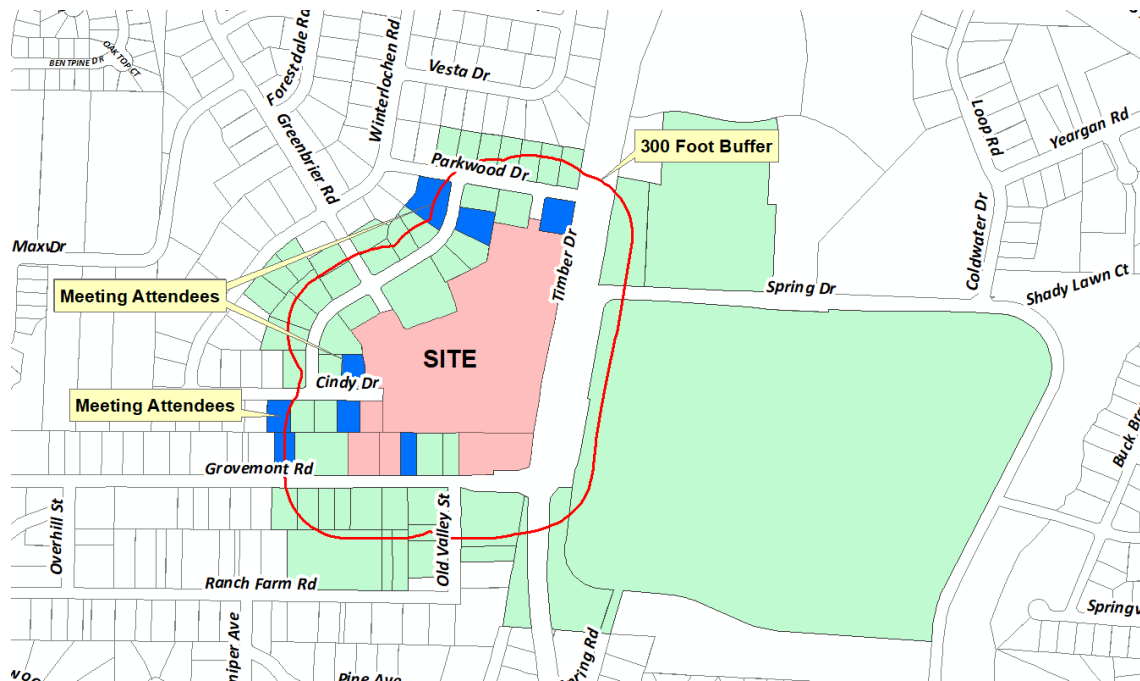
Applicant Response: The water will run through a sand filter that will remove nitrogen runoff. The pond will reduce nitrogen by 30%.

Question 47: Who will maintain the pond over the years?

Applicant Response: There will be a maintenance crew, and the Town of Garner has annual pond inspections.

It was stated that if there is another meeting, everyone who put their name on the sign in list will be informed about the time and location of the next meeting. At approximately 7:30 PM, there were no additional questions from attendees and the meeting was concluded.

Neighborhood Meeting #2: The second neighborhood meeting was held on December 14, 2021, at Garner United Methodist Church with about 19 in attendance including many outside of the notice list area.



OWNER	ADDR1	ADDR2
ALI, ZULFIQAR WAHAB, SANAM	4908 GREENBRIER RD	RALEIGH NC 27603-4258
ANTIEL, NATHAN M ANTIEL, KAYLA M	4407 PARKWOOD DR	RALEIGH NC 27603-4237
	500 E BROWARD BLVD STE 1130	FT LAUDERDALE FL 33394-3022
BRE THRONE GARNER TOWNE SQUARE LLC		
CRIPPEN, MARTIN JOSEPH CRIPPEN, JUDY A	5005 WINTERLOCHEN RD	RALEIGH NC 27603-4251
DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST	1201 BUCK JONES RD	RALEIGH NC 27606-5635
ECJ MAGNOLIA INVESTMENTS INC	PO BOX 7	HAGATNA GU 96932-0007
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FREBELOR DEVELOPMENT CORP	1302 COLONY DR	RALEIGH NC 27603-4606
		FRANKLINTON NC 27525-9522
FREEMAN, DEBRA B PARRISH, NANCY B	896 BALLARD PRUITT RD	
GARDNER, RONALD L GARDNER, CAROLYN S	4919 CINDY DR	RALEIGH NC 27603-4205
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OWNER	ADDR1	ADDR2
WALL, BARRY	301 GROVEMONT RD	RALEIGH NC 27603-4213
WEAVER, NATHANIEL M	116 QUEENSFERRY RD	CARY NC 27511-6312

Neighborhood Meeting #2 Summary:

Question A: Is the yellow house at 4913 Cindy Dr going to be preserved?

Applicant Response: Yes, that house will be preserved and sold at a later date.

Question B: Have the driveways to the site on Grovemont Rd and Timber Dr been approved by NCDOT?

Applicant Response: The driveway approval process occurs after the rezoning, but preliminary discussions with NCDOT have not revealed any major issues related to approval.

Question C: Do the current plans still extend Cindy Dr and Homeland Dr, which are currently stub streets?

Applicant Response: Yes. The existing stub streets were built with the intention of connecting to future development and this proposed development is required to complete the connections. Providing the connections will create better overall connectivity in the area and will provide superior access for emergency services.

Question D: Has there been any consideration to changing the signal timing for the northbound left turn lane at the Timber Dr and Grovemont Rd intersection?

Applicant Response: This has not been discussed yet but is something we can ask NCDOT about.

Question E: Will the roads in the surrounding neighborhoods be improved to handle the additional traffic?

Applicant Response: Improvements to Timber Dr and Grovemont Rd will be performed as necessary to handle the additional traffic, but we are not anticipating any improvements to the roads within the surrounding neighborhoods.

Question F: Can the site driveway on Grovemont Rd include a left turn onto Grovemont Rd?

Applicant Response: We can discuss this turn with NCDOT.

Question G: Will the development prevent traffic from cutting through the surrounding neighborhoods?

Applicant Response: There is nothing we can do to prevent cut through traffic, but the additional connections to Grovemont Rd and Timber Dr are designed to provide easier access onto those roads for the traffic generated by this development and should improve congestion and reduce cut through traffic.

Question H: Can the site driveway on Timber Dr include a southbound right turn to into the new development?

Applicant Response: This would require cutting the median on Timber Dr, but we can discuss this turn with NCDOT.

Question I: Will the parking lots by the clubhouse include lights?

Applicant Response: Yes. The lot will include some lights for safety and security.

Question J: Will street parking be allowed?

Applicant Response: No.

Question K: Will the community amenities be open to residents of the surrounding neighborhoods?

Applicant Response: This is not typical and is not planned, but we can explore that option.

Question L: Will the site entrance on Grovemont Rd impact the property at 308 Grovemont Rd?

Applicant Response: No. Grovemont Rd will be widened slightly along the north side of the road, but the work will be done within the existing right-of-way.

Question M: Will there be sidewalks installed along Grovemont Rd and Timber Dr?

Applicant Response: Yes, sidewalks will be installed along those roads where the rezoning site fronts the right-of-way.

Question N: Will the covenants on the property to be rezoned impact this development?

Applicant Response: We are not aware of any covenants that restrict development of the property, but we will look into this in more detail.

Question O: Could you please explain the stormwater management on the property?

Applicant Response: There will be a wet pond on the northern portion of the property that will retain, treat, and release stormwater. Most of the northern half of the site will drain into this pond, where it will be retained and slowly released. The Town code requires this type of stormwater treatment, which will result in stormwater releasing into the ground slower than pre-development rates. The western/southern portion of the site will have an underground stormwater device that will act in the same manner as the wet pond. We have also committed to a level of stormwater treatment that exceeds the Town code. The facilities on this site will be designed to retain the 100 year storm.

Question P: Will these stormwater devices need regular maintenance?

Applicant Response: Yes. The Town code requires yearly maintenance, either by the land owner or, in some cases, the Town itself.

Question Q: Have the plans for this to be a rental community changed, and if not, will the community ever transition to an owner-occupied community?

Applicant Response: No, the plans have not changed. We do not foresee transitioning the community to owner occupied in the near future. If we did transition to selling the units, we would be required to comply with the Town's subdivision requirements, which would require the establishment of an HOA to manage the community.

Question R: What is the development timeline for this project?

Applicant Response: This project is still in its early stages. The first step is to rezone the property, which will require public meetings before the Town Council and Planning

Commission. Once the property is rezoned, we will need to go before Town Council again to obtain a special use permit. This is required because the proposed development has more than 100 residential units. This process involves an evidentiary hearing at which we will be required to meet certain criteria in order to obtain the permit. Following this hearing, we will need to obtain construction permits before construction starts. The process is fluid, but we anticipate the earliest any construction could begin is in the fall of 2022.

Question S: There is concern about construction traffic cutting through the surrounding neighborhoods.

Applicant Response: The construction entrance has not been determined yet, but it will likely be off of Grovemont Rd or Timber Dr. This entrance will be clearly marked and contractors will be required to use this entrance.

Question T: Will there be monument signs for the new community?

Applicant Response: Yes, the community will be appropriately identified through signage.

Question U: What are the buffer standards generally, and could a fence be installed adjacent to the property at 320 Grovemont Rd?

Applicant Response: The buffers between the new development and surrounding neighborhoods will be planted according to the Town standards. Existing vegetation will be retained, and new vegetation will be installed to meet the Town standards. In some areas, the buffer yards require installing a 6 ft fence. And yes, we will add a condition to commit to installing a fence within the buffer adjacent to 320 Grovemont Rd.

Public Hearing: The Town Council conducted a public hearing at their meeting on Tuesday, February 22, 2022. This hearing was continued. The hearing may be viewed here: <https://www.youtube.com/watch?v=DdOvgHtYXO4>, beginning at 1:40:10.

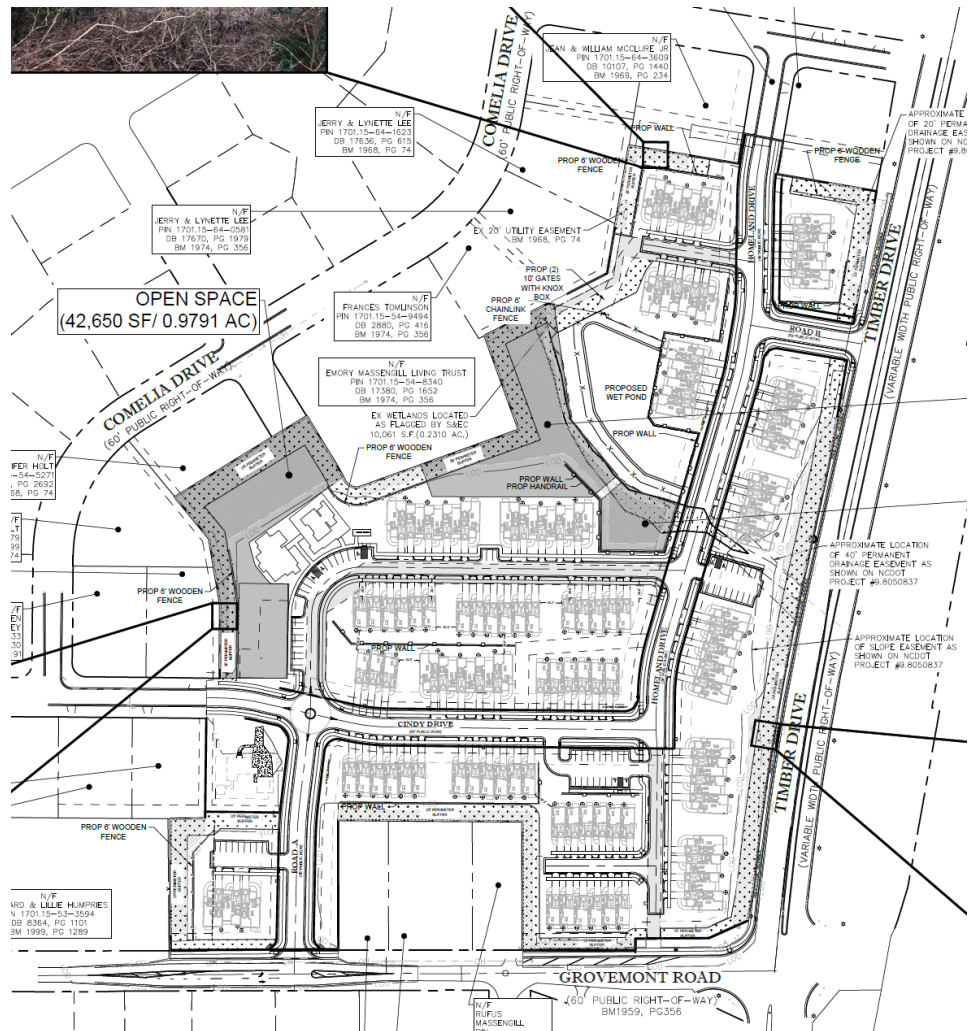
The Town Council resumed this hearing following separate public notice at their meeting on Monday, August 1, 2022; after which the case was referred to the Planning Commission: The hearing may be viewed here: <https://www.youtube.com/watch?v=4gEDha433I>, beginning at 15:40.

V. MASTER PLAN PROJECT DATA

Acreage: 17.80 +/- acres

Master Plan:

- Not to exceed 105 dwelling units.
- Fewer units along Timber Drive with additional space between buildings and varied building orientation.
- Off-street parking for units at Grovemont entrance added.
- 4-way intersection with traffic circle introduced at Grovemont entrance road and Cindy Drive with gate proposed at Cindy Drive during construction (until land disturbance permit is closed out).
- Open playfield added.



Lot and Setbacks:

Minimum lot size of 6,000 square feet.

Front: 35'

Side: 15'

Rear: 25' and 35'(adjacent to Timber Drive)

Corner side: 25'

**Landscape and
Buffer
Requirements:**

Tree Cover: 12-14% sliding scale (applicable rule at the time of submittal)
– to be re-verified with Special Use Permit.

Perimeter Buffers:

- 25' adjacent to existing single-family uses.

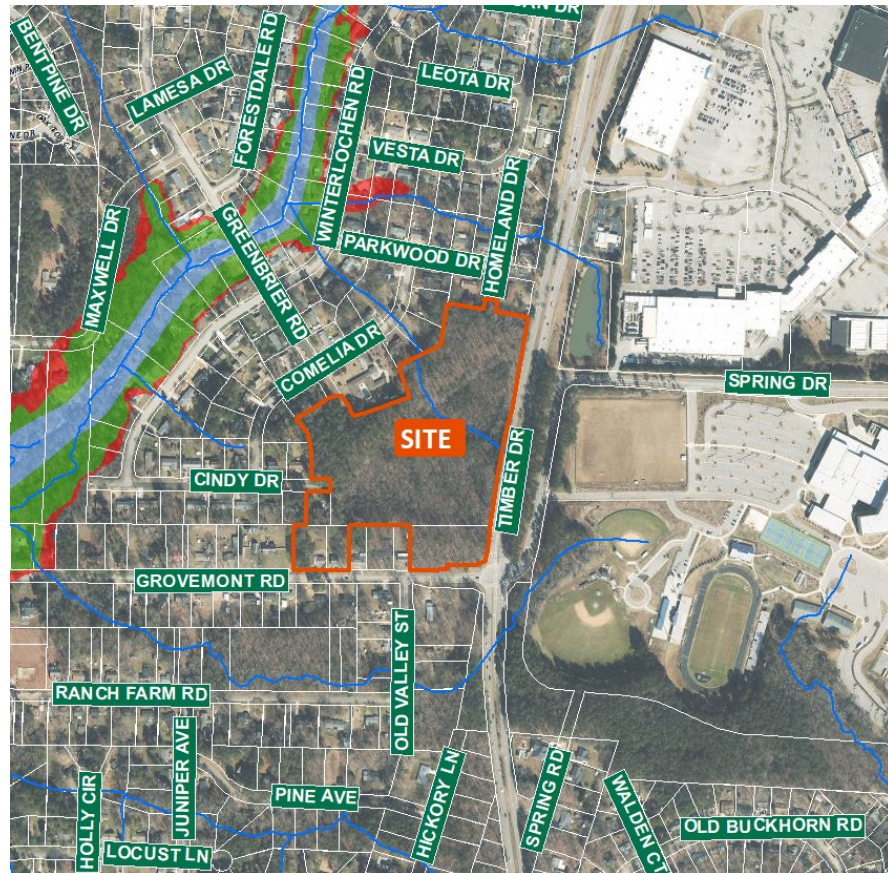
Street Buffers:

- Timber Drive – minimum 25' preserved width, supplemented with street trees as needed and new vegetation as may be required to achieve screening up to a height of 4'.
- Grovemont Road – 15' width

Street Trees: Must be provided approximately every 40 feet along all roadways.

**Environmental
Features:**

Minor wetlands have been indicated along the draw of the blue line depicted on site in the graphic below. Much of the area will not be directly impacted. Proof of required state and/or federal approvals for direct impacts are required prior to the release of construction documents. There are no FEMA floodplains or blue line streams subject to Neuse River buffering rules.



Parks and Open Space: **Open Space –**

- Required: 10% (+/- 1.78 acres)
- Provided: 11.63%

Open space areas will be owned and maintained by Greenbrier Park HOA/management. Required open space will be met with qualifying wetland conservation areas, qualifying tree conservation areas and the active recreation amenity.

Lighting: To meet UDO requirements and staff policies for LED fixtures – to be re-verified with Special Use Permit.

Infrastructure: **Stormwater Management** – Greenbrier Park is a multifamily development site that is located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen and 85% TSS removal as well as water quantity requirements for the 1, 10, 25 and 100-year storm events. This development plan proposes a wet retention pond and an underground sand filter to treat impervious surface from the development. These devices will satisfy all water quality and water quantity requirements at this site for nitrogen, 85% TSS removal and will detain the 1, 10, 25 and 100-year storm events. A nitrogen offset payment will also be required as part of this development.

Water/Sewer – The site will be served by adjacent City of Raleigh water and sewer infrastructure. Water lines are required to be extended along Timber Drive and Grovemont Road. The City of Raleigh has not identified any upstream properties requiring sewer service extension; however, should that change upon further analysis prior to a special use permit hearing, those upstream extensions will be required.



Transportation/Access – The project is recommended to have 3.5 points of access: full access at Grovemont Road, Cindy Drive and Homeland Drive, and right-in/right-out only access at Timber Drive.

Pursuant to exemption 4 of Section IV of the Town of Garner Policy on Completion of Street Stubs, the applicant requests a waiver so that the connection to the existing Homeland Drive stub shall not be made. Staff concurs that this request may be made, but has advised that even if granted, the right-of-way will still be required to allow for the extension of public utilities pursuant to Raleigh Water policies.

The applicant has noted the following in regard to the completion of Cindy Drive: Swing gate with Knox Box lock approved by Fire Department – the gate shall remain in place until the Wake County Land Disturbance Permit for the development is closed. After the Wake County Land Disturbance Permit is closed, the gate shall be removed if required by the Town of Garner Code in effect at that time.

Pedestrian access will be accommodated with sidewalks along both sides of all streets and private drives. Sidewalk will also extend along the site's frontages on Timber Drive and Grovemont Road.

VI. PLAN CONSISTENCY

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

Planning Commission Meeting Summary: The Planning Commission conducted their meeting on Monday, September 12, 2022.

- Staff presented overview of the request.
- Mr. Blasco asked for confirmation that the long-range plan designation was High Density Residential – confirmed.
- Mr. Blasco asked about the threshold of vehicle counts for required stub connections – staff discussed adopted stub completion policy.
- Mr. Voiland asked for confirmation that the site would need to be annexed – confirmed that part of the site would need to be annexed.
- Mr. Voiland asked about the reasons for Council's recent denial of the nearby proposed rezoning on Spring Drive – staff provided recollections on the decision.

- Mr. Moua asked about changing flush valves to fire hydrants on the proposed site plan and stated his preference for hydrants – noted.
- Mr. Voiland, referencing the fire rescue impact coverage findings, asked whether the determinations were made by Captain Johnson – confirmed.
- Mr. Blasco asked about the distinctions between making the stub connection at Cindy Drive but not at Homeland Drive – staff explained new stub completion policy and expounded on fire/rescue impact study.
- Mr. Jefferson asked for additional staff commentary on the existing 9.6 acres zoned NMX, and whether it was important to keep a mixed/commercial component in this area to provide important spaces and resources for residents – site not in any type of mix of use/mixed use area on future land use plan.
 - Mr. Blasco observed that commercial may no longer make sense in the Timber Drive corridor, especially in light of buffering requirements and the importance of visibility for commercial uses.
 - Mr. Jefferson reiterated the importance of considering moving away from commercial uses as part of the proposed rezoning.
- Mr. Blasco asked why there were no proposed road improvements in front of three properties along Grovemont Road and noted that it appeared an important sidewalk connection might be missed – right-of-way limitations noted.
- Ms. Avent thanked the applicant and stated her appreciation for the applicant’s attention to density, as well as the making of compromises in response to neighborhood concerns.
- Ms. Jennifer McLaughlin, President of the Greenbrier Homeowners’ Association, spoke on behalf of her organization and expressed gratitude for the applicant’s thoughtfulness and communication. Ms. McLaughlin expressed the HOA’s remaining concerns: including cut-through traffic, excessive speeding, and issues with entering/exiting Grovemont Road. She also stated the HOA was not concerned about emergency response times, nor did the neighborhood desire mixed use commercial uses.
 - Mr. Triezenberg noted that staff had asked the applicant to contact NCDOT about modifying signal phasing at the intersection of Grovemont and Timber.
 - Mr. Collier Marsh, attorney for the applicant, noted that preliminary discussions on this topic had taken place and that it was the applicant’s expectation that signal phasing would be implemented in response to new development.

With a unanimous vote, the Planning Commission adopted the Consistency Statement detailed further along in Section VI of this report and recommended that the Town Council approve CZ-SP-21-02.

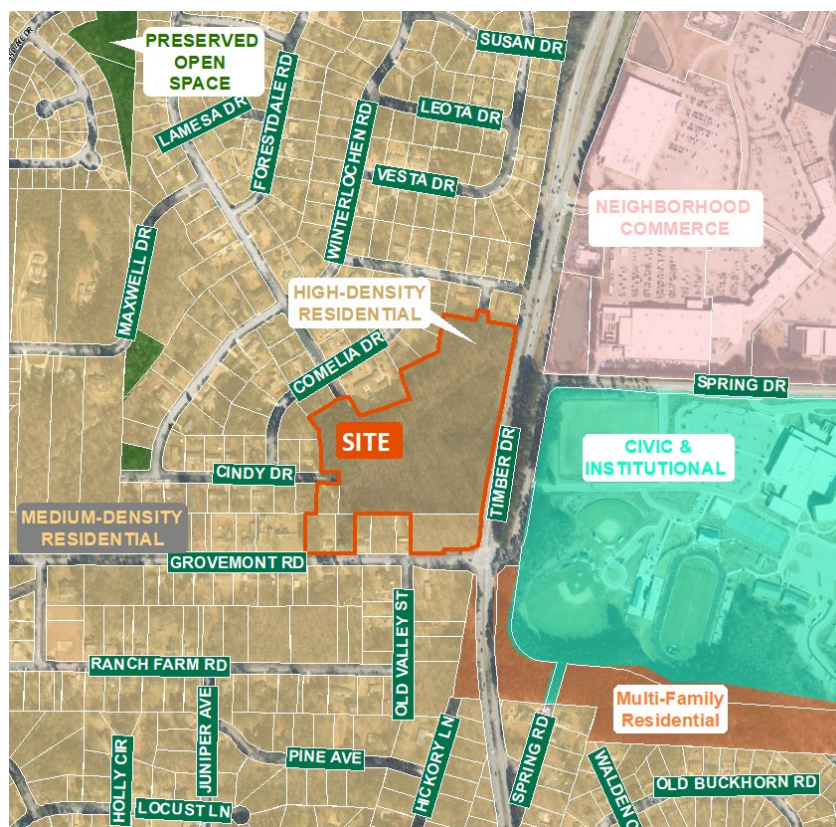
Relevant Land Use Plan Analysis:

2018 Garner Forward Plan – *CONSISTENT:*

The predominate designation of **High-Density Residential (HDR)** includes single-family, duplex, triplex, quadplex, and townhome-style residences at a density of not less than five (5) units per acre. High-Density Residential structures may also include auxiliary units either attached to or detached from the main residence. The HDR district encourages context-

sensitive residential uses that preserve and enhance the culture of adjacent residential communities.

The proposed townhome-style structures are a recommended residential style, and the proposed density of 5.9 units per acre meets the recommended minimum of 5.0. The applicant has further employed many context-sensitive approaches to the overall layout in response to feedback from all corners and within what the UDO will allow – including placement of open space, preservation of existing home, proactive traffic calming measures, wider buffers, fencing, etc.; therefore the proposal may be considered consistent with the future land use plan. Because the acreage designated Medium-Density Residential (MDR) is minimal and the proposed density is only 0.9 dwelling units/acre higher than what is recommended for that designation, staff is of the opinion that a comprehensive plan amendment would not be warranted.



2010/18 Garner Transportation Plan – *CONSISTENT:*

The Transportation Plan recommends Timber Drive remain a four-lane divided roadway, that a new two-lane collector outlet from this development area to Grovemont Road be constructed, and that bicycle accommodation be included in the widening of Grovemont Road. As the project includes a road outlet to Grovemont Road and the widening of Grovemont along the project's frontage, this project can be considered consistent with the Transportation Plan.

Parks, Recreation, Greenways and Cultural Resources Master Plan – *CONSISTENT:*

The site is located near the "Education and Recreation" greenway corridor recommended to run from the Southeast Regional Library west to Yates Mill Pond Park via Garner High and

Smith Elementary schools. Due to the lack of east-west stream corridors in this area, the future alignment for this greenway will likely need to follow streets to the north (Mawell/Parkwood) or south (Grovemont) that already cross the major streams. The site is not located within a park land search area; therefore, with payments of fee-in-lieu of park land dedication, this plan can be considered consistent with the PRCR Master Plan.

Consistency Statement: This request to conditionally rezone 9.6 +/- acres from **Neighborhood Mixed Use (NMX C114) Conditional**, and 8.2 +/- acres from **Residential 2 (R2) to Multifamily (MF-1 C253) Conditional => Multifamily A (MF-A C253) Conditional** for the development of a multifamily residential community of up to 105 dwelling units (5.9 dwelling units/acre) is consistent with the Future Land Use Map's primary designation of High-Density Residential (HDR) which states that residential uses such as townhome-style units should be at least five (5) units per acre.

VII. REASONABLENESS

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

VIII. RECOMMENDATION / MOTIONS

Staff Recommendation: In addition to findings of plan consistency, staff would also note the following in support of a motion to approve CZ-SP-21-02 as presented:

- The proposed uses are of an intensity not dis-similar to the average intensity of those permitted by the current zoning (some being less, some being more);
- Townhome-style dwelling units adjacent to single-family detached houses also exist in the area at Vesta Drive at 7.5 dwelling units/acre and generally accepted by planners as an appropriate transitional use between single-family uses and higher intensity uses;
- The project design includes additional vegetative buffer widths, fencing and open space between proposed structures and existing single-family dwellings; and
- The project design includes proactive traffic calming methods including meandering roadways and a mini traffic circle.

Recommended Motion: See following worksheet. Staff has highlighted the most likely motion for both approving (in green – staff recommendation) and denying (in red) the applicant's request.

CZ-SP-21-02, Greenbrier Park

Zoning Amendment Motion Worksheet

Choose one of the following motions (*staff recommendation highlighted in green*):

**1. CONSISTENT
AND
REASONABLE**

"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2022) 5148 approving rezoning **CZ-SP-21-02**, as the request is reasonable and in the public interest because it will likely (select all applicable reasonableness options on next page and/or provide your own reasoning)."

**2. CONSISTENT
BUT NOT
REASONABLE**

"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, as our own; however, I also move that the Town Council deny rezoning **CZ-SP-21-02**, as the request is not reasonable nor in the public interest because it will likely not (select all applicable reasonableness options on next page and/or provide your own reasoning)."

**3. INCONSISTENT
YET
REASONABLE**

"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (cite and insert land use plan evidence); yet, I also move that the Town Council adopt Ordinance No. (2022) 5148 approving rezoning **CZ-SP-21-02**, as the request is still reasonable and in the public interest because it will likely (select all applicable reasonableness options on next page and/or provide your own reasoning)."

**4. INCONSISTENT
NOR
REASONABLE**

"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (cite and insert land use plan evidence); and I further move that the Town Council deny rezoning **CZ-SP-21-02**, as the request is not reasonable nor in the public interest because it will likely not (select all applicable reasonableness options next page and/or provide your own reasoning)."

See next page for staff-identified possible reasonableness options...

Select all applicable reasonableness options to be included in a motion:	
✓	Promote multi-family housing in select areas.
✓	Be of an overall design that keeps within the Town's character and improves property values.
	Encourage redevelopment and reuse of existing sites and building that are complimentary to the surrounding area.
	Invest significantly in outdoor spaces and/or promote natural features such as major trees, streams, hills and woodlands.
	Provide attractive and pedestrian-friendly streetscapes that communicate small-town feel and a human-scaled environment.
	Create attractive and unique gateways to Garner; thereby attracting new visitors and encouraging people to return.
	Attract both younger and older populations.
✓	Be located and designed to create good multi-family places with quality exterior materials, open spaces and facades.
	Refocus development on our centers – including Downtown and North Garner.
✓	Allow/encourage shared-use and mixed-use developments.
✓	Support more 55+ housing opportunities.
	Emphasize new housing styles in walkable, mixed-use locations identified for growth.
✓	Mix housing types in infill areas in harmony with adjoining, older neighborhoods.
✓	Create better neighborhood appearance by rear-loading driveways and using alleys, promoting walking in front of homes and allowing trash removal to be kept out of sight.
✓	Mix housing types in infill areas in harmony with adjoining, older neighborhoods.
	Align the development code with the Town's desired ends.
	Support work-in-place trends.
	Require all or a high percentage of parking to be at the side or rear of buildings and allow for the creation of enclosed pedestrian spaces.
	Allow a mix of smaller, leaner and cleaner manufacturing and industry with office and/or ground-floor retail; even housing.
✓	Connect the community internally with open spaces.
✓	Enhance the surrounding transportation network by providing interconnectivity, constructing proposed greenway trails, improving intersections and/or filling sidewalk gaps.
	Improve Garner's position as a community that is a successful candidate for more fixed route transit services.
	Reflect a significant change in conditions or support a public policy established by the Town since the adoption of applicable land use plans.
	Achieve substantial improvement in the quality of life for Town residents.
	Increase the ability to achieve other goals of the Comprehensive Plan or improve Town operations.
	Other: _____
	Other: _____

Green = supporting elements, Yellow = perhaps/partial, Red = no overtly supporting elements, Gray = likely n/a

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

ORDINANCE NO. (2022) 5148

**AN ORDINANCE AMENDING THE TEXT OF THE GARNER UNIFIED DEVELOPMENT ORDINANCE
TO CREATE A NEW CONDITIONAL 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 zoning district be established and that this new district classification be applied to the applicant's property; and

WHEREAS, the Town Council finds this request to conditionally rezone 9.6 +/- acres from Neighborhood Mixed Use Conditional (NMX C114), 8.2 +/- acres from Residential 2 (R2) to Multifamily (MF-1 C253) Conditional => Multifamily A (MF-A C253) Conditional for the development of a multifamily residential community, consistent with the Future Land Use Map's designation of primarily High Density Residential (HDR); and

WHEREAS, the Town Council also finds this request to be consistent with the Garner's Transportation Plan and Parks, Recreation, Greenways and Cultural Resources Master Plan; and

WHEREAS, the Town Council further finds the request is reasonable and in the public interest because it will promote multi-family housing in select areas; be of an overall design that keeps within the Town's character and improves property values; be located and designed to create good multi-family places with quality exterior materials, open spaces and facades; mix housing types in infill areas in harmony with adjoining, older neighborhoods; and enhance the surrounding transportation network by providing interconnectivity, constructing proposed greenway trails, improving intersections and/or filling sidewalk gaps;

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 Liberty Investment Partners in Zoning Map Amendment Application No. CZ-SP-21-02 (MF-1 C253 => to be adopted as MF-A C253).

Section 2. That there is hereby created a new conditional zoning district, to be known as the Multifamily A (MF-A C253) Conditional District; all of the regulations that apply to property within the MF-A C253 district shall be applicable subject to the following conditions:

1. Permitted use table:

Use Category	Specific Use	MF-A C253
Household Living*	Two-Family Dwelling	P
	Townhouse	P
	Condominium	P
	Multifamily (triplex and higher, including apartment)	P

** Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.*

2. The maximum residential density shall not exceed 8 units per acre.
3. Vinyl siding shall be prohibited on all buildings.
4. No exposed slab foundation.
5. All garage doors shall have carriage door hardware and windows.
6. All townhomes shall have a minimum 8" roof overhang excluding gutters.
7. A minimum 45 sf outdoor deck or patio is required on all dwelling units.
8. Windows on all facades will have a 2 over 1 pane pattern.
9. Shutters or window trim shall be provided on all front facade windows and all side façade windows with right of way frontage.
10. The clubhouse in the amenity area shall contain a minimum 2,000 sf heated area.
11. The surface area of the pool in the amenity area shall be a minimum 1,000 sf.
12. A 6' wooden privacy fence shall be included in the perimeter buffer along the adjacent properties with the following PIN numbers: 1701533594, 1701645615, 1701643609, 1701641623, and 1701535942.
13. A 6' wooden privacy fence shall be included in the perimeter buffer along the adjacent properties with the following PIN numbers: 1701548340, except that the fence shall not be required where the perimeter buffer and/or open space exceeds 50' in width.
14. A perimeter buffer with a minimum width of 35' shall be provided adjacent to PIN 1701545271.

15. Within each building, there shall be no more than 2 units without a 2 feet horizontal offset of the footprint of the front facade.
16. The front elevation of each unit shall have two types of siding, i.e. lap and shake, or board and batten.
17. The front façade of the first floor of each unit shall be at least 20% masonry or brick.
18. Each unit shall have front-facing roof articulation.
19. The minimum front setback for all units shall be 25’.

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
DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST	1701539949	Neighborhood Mixed Use (NMX C114) Conditional and Residential 2 (R2)	Multifamily A (MF-A C253) Conditional
DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST	1701536721	Residential 2 (R2)	Multifamily A (MF-A C253) Conditional
DAVID J & MARILYN B MARTIN IRREVOCABLE TRUST	1701537520	Neighborhood Mixed Use (NMX C114)	Multifamily A (MF-A C253) Conditional
MARTIN, DAVID J. JR TRUSTEE EVENSON, DONNA MARTIN TRUSTEE	1701535458	Residential 2 (R2)	Multifamily A (MF-A C253) Conditional
GREENBRIER PARK LLC	1701632572	Residential 2 (R2)	Multifamily A (MF-A C253) Conditional

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 3rd day of October 2022.

Ken Marshburn, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: October 3, 2022		
Subject: Recruitment & Retention Initiatives		
Location on Agenda: Old/New Business		
Department: Human Resources		
Contact: Sabrina Lewis, Human Resources Director and Jodi Miller, Asst. Town Manager		
Presenter: Sabrina Lewis, Human Resources Director and Jodi Miller, Asst. Town Manager		
<p>Brief Summary:</p> <p>This is a follow-up to the September Work Session discussion on nine proposed enhancements to the Town of Garner total personnel rewards strategy. The recommended recruitment and retention strategies will benefit the Town's workforce across all departments and provide a competitive recruitment package for new employees.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Council approve moving forward with recommended recruitment and retention strategies.</p>		
<p>Detailed Notes:</p> <p>Due to recent applicant shortages, resignations and retirements experienced locally and nationally, the HR department in collaboration with leadership has explored options to enhance the Town's total reward strategy to attract and retain qualified employees. The presentation is an overview of efforts that have been established, feedback frequently heard by HR, and suggested enhancements that can be executed in the near future and in the next fiscal year that benefit the the entire workforce and help with recruitment of new employees.</p>		
<p>Funding Source:</p> <p>Provided in FY22/23 budget</p>		
Cost:	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
<p>Manager's Comments and Recommendations:</p> <p>The Manager recommends moving forward with the following strategies and benefits:</p> <p>1. Bereavement Leave-24 hours. 2. Preventive Care Leave-8 hours, 3. Count holiday time as time worked when calculating compensatory time, 4. Increase Compensation Time cap to 56 hours, 5. Modify Council meeting schedule for July & December, 6. Allow resident fees for PRCR programs & rentals, 7. Employee Hiring Referral Program, 8. Enhanced Service Program, and 9. Town sponsored wellness activities.</p>		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Total Personnel Rewards Strategy Enhancements

September 27, 2022

Background

Recruitment and retention challenges significantly increased both locally and nationally over the past three years. Some contributing factors include:

- Aggressive competing offers within a small radius (Raleigh, Apex, Cary, Clayton, Morrisville, Wake County, etc.)
- Decreasing interest in local government careers
- Increased volume of employees recently eligible for retirement

Supporting Data

Mission Square Research Institute

- Survey conducted from March 3rd to April 24th, 2022
- Key challenges facing state and local governments in the recruitment and retention of talented employees
- Strategies being employed to manage and compensate staff
- 319 State and Local Government Respondents
- 83% Local Government Respondents

Supporting Data

- 53% of respondents report that employees are accelerating their retirement plans
- 41% report largest wave of retirements is coming in the next 5 years
- Top reported reasons for resignation:
 - 51% compensation not competitive
 - 33% lack of internal advancement opportunities
 - 29% advancement with another public employer

Supporting Data

NEOGOV

- National leader in software solutions for the public sector
- Data provided from nationwide client activity in the neogov applicant tracking system
- Trends in open recruitments and applicant responses from 2019 - 2022

Supporting Data

- Open jobs over the past year in the public sector is **up by 45%**.
- Applications per open job over the past year in the public sector are **down by 56%**.
- Average views per job posting are **down by 30%** in the past 2 years

Response

- Make Town of Garner an employer of choice
 - Review and adjust recruitment strategies
 - Determine methods to reengage existing workforce to support and encourage retention
- Feedback and Ideas Collection—Ongoing
 - HR Team
 - Department Heads
 - Employee "Culture Club" Group

Implemented Solutions

Existing & Recently Approved Initiatives

- Hiring bonuses for hard to fill positions
- Retention bonuses for existing employees (6 months of continuous service required)
- Two new holidays added to the calendar (Juneteenth & Floating Holiday)
- Continuation of annual holiday bonuses

Options for Consideration

Additional Leave Related Options

Separate Bereavement Leave (24 hours)

- Currently, employees are required to use sick leave for bereavement
- For use upon the death of an immediate family member as defined by the personnel policy
- Resets at the beginning of each fiscal year

Options for Consideration

Additional Leave Related Options

Preventative Care Leave (8 Hours)

- To be used for scheduled medical appointments
 - Annual physicals & dentist appts.
 - Preventive screenings
 - Appointments for covered dependents
- Encourages overall wellbeing of Town employees
 - Healthy workforce is more productive
 - Could reduce the overall cost of insurance claims over time
 - Resets at the beginning of each fiscal year

Options for Consideration

Additional Leave Related Options

- Allow Holiday hours to be counted as time worked when calculating compensatory time earned
 - Allowing Holiday hours to count as time worked benefits employees who frequently attend meetings outside of scheduled work hours as part of their required job duties
- Increase the maximum compensatory time earned allowance from 40 hours to 56 hours
 - Decreases the likelihood that employees will miss the opportunity to utilize compensatory time for additional hours worked prior to reaching the limit
- Modify Council meeting schedule to allow for one meeting in July & December

Options for Consideration

Employee Re-engagement & Retention Efforts

- Reduced registration fees for Garner Parks, Recreation, and Cultural Resources Events & Rentals
 - Allow employees to be charged the resident rate
- Employee Hiring Referral Program (\$1000)
 - \$500 Upon successful hire of a referred employee
 - \$500 Upon successful completion of referred employee's probationary period

Options for Consideration

Employee Re-engagement & Retention Efforts

- Enhanced Service Recognition
 - Include monetary awards in addition to existing items received for milestone anniversaries
 - Refresh annual Service and Safety Award Program
- Town Sponsored Wellness Activity
 - Partner with PRCR staff to host wellness activities that work with employee's schedules

Future Initiatives & Long-Term Solutions Under Review

- Develop plan to implement Pay & Classification Study Recommendations
- Review of future health insurance options
- Examine opportunity for career progression ladders
- Reevaluate flexible scheduling strategies
- Review and update Town's Teleworking Policy
- Research innovative ideas and requests

Recruitment & Retention Initiatives

Council concurrence to move forward with:

- Bereavement Leave- 24 hours
- Preventive Care Leave- 8 hours
- Count holiday time as time worked when calculating comp. time earned
- Increase Compensation Time cap to 56 hours
- Modify Council meeting schedule for July & December
- Allow resident fees for PRCR programs & rentals
- Employee Hiring Referral Program
- Enhanced Service Program
- Town sponsored wellness activities

REPORTS

Town of Garner

Engineering Department

Capital Projects Status Report

Period Ending FY23 - 1Q

Date: 10/1/22

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PROJ. NO.	PROJECT NAME	FROM	TO	PROJECT DESCRIPTION	PROJECT LENGTH (MILES)	PERCENT COMPLETE	STUDY (S)/ DESIGN (D)/ CONST. (C)	PUBLIC MEETING DATES	RIGHT OF WAY ACQUISITION	ADVERTISE FOR BIDS	CONTRACT AWARD	CONTRACT COMPLETION	TOTAL PROJECT BUDGET	FUNDING SOURCE
CAPITAL STREET PROJECTS														
1	WHITE OAK ROUNDABOUT (TIP#U-6225)	BRYAN ROAD WHITE OAK ROAD HEBRON CHURCH ROAD	BATTLE FIELD DRIVE CLIFFORD ROAD BRYAN ROAD	CONVERT EXISTING INTERSECTION TO PARTIAL DUAL LANE ROUNDABOUT	0.36	90%	(D)	05/08/18 09/18/19	SUMMER 2022	FALL 2022	LATE 2022	FALL 2023	R/W & UTILITIES - \$737,000, CONST. - \$2,000,000	DESIGN - TOG R/W AND CONST. - LAPP/TOWN COST SHARE
2	LAKE DRIVE WIDENING	NC 50 (BENSON ROAD)	DULLIS CIRCLE	WIDEN LOCAL STREET WITH CURB AND GUTTER BOTH SIDES AND INSTALL SIDEWALK ALONG NORTH SIDE	0.13	15%	(C)	SPRING 2020	SPRING 2021	SPRING 2022	SUMMER 2022	DECEMBER 2022	\$822,850	2021 BOND
3	JONES SAUSAGE ROAD - NORTH	AMAZON SOUTHERN BOUNDARY	GARNER ROAD	WIDEN FROM 2 LANE TO 4 LANE DIVIDED SECTION WITH RAISED GRASS MEDIAN AND SIDEWALK ALONG BOTH SIDES	0.63	50%	(D)	JULY 2022 FALL 2022	2023 (9-12 MONTHS)	LATE 2023	SPRING 2024	SPRING 2026	\$1,000,000 (DESIGN)	2021 BOND
4	DOWNTOWN ENHANCEMENTS / RAND MILL ROAD AND MAIN STREET STREETSCAPE	EAST MAIN STREET	N/A	INSTALLATION OF CURB AND GUTTER ALONG RAND MILL ROAD WITH SIDEWALK WEST SIDE, INTERSECTION AND STREETSCAPE IMPROVEMENTS AT EAST MAIN STREET	0.10	90%	(D)	TBD	TBD	TBD	TBD	TBD	\$2,036,263	\$1,030,405 - COMMUNITY PARTNER FUNDING GRANT
5	PEARL STREET & PARKER STREET IMPROVEMENTS	MAIN STREET 100' EAST OF PEARL STREET	END OF PAVEMENT MONTAGUE STREET	PAVE/WIDEN WEST SIDE OF PEARL STREET WITH CURB AND SIDEWALK. WIDEN BOTH SIDES OF PARKER STREET WITH CURB AND SIDEWALK.	0.20	10%	(D)	TBD	SPRING/SUMMER 2023	FALL 2023	LATE 2023	LATE 2024	TBD	2021 BOND
6	VANDORA SPRINGS ROAD IMPROVEMENTS	TIFFANY CIRCLE	TIMBER DRIVE	INSTALL SIDEWALK ALONG SOUTH SIDE OF TIMBER DRIVE	0.24	45%	(C)	TBD	WINTER 2020/SPRING 2021	SUMMER 2021	FALL 2021	DECEMBER 2022	\$1,356,000	2013 BOND
CAPITAL SIDEWALK PROJECTS														
7	GARNER ROAD	VANDORA WEST SUBDIVISION	WESTON ROAD	INSTALL SIDEWALK ALONG NORTH SIDE OF GARNER ROAD	0.17	50%	(D)	FALL 2022	LATE 2022/ SPRING 2023	SPRING 2023	SUMMER 2023	SPRING 2024	\$292,000	2021 BOND
8	AVERSBORO ROAD	YMCA ENTRANCE	SUMMERS WALK SUBDIVISION	INSTALL SIDEWALK ALONG WEST SIDE OF AVERSBORO ROAD.	0.16	50%	(D)	FALL 2022	LATE 2022/ SPRING 2023	SPRING 2023	SUMMER 2023	SPRING 2024	\$155,000	2021 BOND
9	BRYAN ROAD	WCPSS SITE	ACKERMAN ROAD	INSTALL SIDEWALK ALONG EAST SIDE OF BRYAN ROAD	0.07	50%	(D)	FALL 2022	LATE 2022/ SPRING 2023	SPRING 2023	SUMMER 2023	SPRING 2024	\$518,000	2021 BOND
CAPITAL FACILITY PROJECTS														
10	US 401 LIGHTING	SOUTH OF OLD STAGE ROAD	SOUTH OF MECHANICAL BOULEVARD	INSTALLATION OF FIBERGLASS POLES WITH LED LIGHTS ALONG BOTH SIDES OF THE ROADWAY	0.60	25%	(D)	N/A	N/A	N/A	N/A	TBD	TBD	GENERAL FUNDING
11	HIGHWAY 70 LIGHTING	YEARGAN ROAD	I-40	INSTALLATION OF FIBERGLASS POLES WITH LED LIGHTS ALONG BOTH SIDES OF THE ROADWAY	3.13	95%	(D)	N/A	N/A	N/A	N/A	TBD	\$500,000	GENERAL FUNDING
TOWN MAINTENANCE PROJECTS														
12	2019 STORMWATER PROJECTS	VARIOUS	VARIOUS	STORMWATER IMPROVEMENTS (JUNCTION BLVD, BUCK BRANCH CREEK, MEADOWBROOK/CASON, AND STAUNTON MEADOWS)	N/A	90%							\$765,000	2021 BOND
12.01	JUNCTION BLVD	N/A	N/A	CULVERT SLIP LINE, INSTALLATION OF HEADWALLS, OUTLET STABILIZATION		90%	(D)	N/A	SUMMER/FALL 2022	LATE 2022	SPRING 2023	SPRING 2024	\$565,000	2021 BOND
12.02	FOREST RIDGE ROAD	N/A	N/A	LINE CULVERT, INSTALL NEW CONCRETE HEADWALL, STABILIZE/REVEGETATE BANKS		90%	(D)	N/A	FALL 2022	LATE 2022	SPRING 2023	SPRING 2024	\$200,000	2021 BOND
13	HAY RIVER STREET	CALEBAR ST	WATKINS VALLEY ROAD	INSTALL 4 SPEED TABLES WITH STRIPING/SIGNAGE	0.30	100%	(C)	N/A	N/A	N/A	JUNE 2022	JULY 2022	\$20,900	GENERAL FUND
NCDOT STIP PROJECTS														
14	ADA CURB RAMP UPGRADES (R-5785J)	VARIOUS LOCATIONS		REMOVE/REPLACE CURB RAMPS TO NEW ADA STANDARDS	N/A	50%	(C)	N/A	N/A	LATE 2021	FEBRUARY 2022	NOVEMBER 2022		NCDOT
15	NEW BETHEL CHURCH ROAD BRIDGE REPLACEMENT (B-5237)	N/A	N/A	REPLACE BRIDGE OVER MAHLER'S CREEK	N/A	75%	(C)	N/A	SUMMER 2019	JUNE 2018	JULY 2018	DECEMBER 2022		NCDOT
16	TEN TEN ROAD INTERSECTION IMPROVEMENT PROJECT (SM-5705D)	OLD STAGE ROAD		CONSTRUCT WESTBOUND RIGHT TURN LANE ON TEN TEN ROAD AT OLD STAGE ROAD INTERSECTION	0.10	0%	(C)	N/A	SPRING 2022	SUMMER 2022	OCTOBER 2023	SPRING 2022		NCDOT
17	OLD STAGE ROAD SPOT PROJECT (SM-5705R)	VANDORA SPRINGS ROAD		CONSTRUCT NORTHBOUND RIGHT TURN LANE ON OLD STAGE ROAD AT VANDORA SPRINGS ROAD	0.12	0%	(C)	N/A	SPRING 2022	SUMMER 2022	OCTOBER 2022	SPRING 2023		NCDOT
18	TEN TEN ROAD SPOT PROJECT (SM-5705H)	FANNY BROWN ROAD		INSTALL TRAFFIC SIGNAL AND CONSTRUCT WESTBOUND LEFT TURN LANE	1.10	0%	(C)	N/A	N/A	SUMMER 2022	OCTOBER 2022	SPRING 2023		NCDOT
19	I-40 WIDENING (I-5111)	1-440	NC 42	WIDEN FROM 6 LANE TO 10 LANE FREEWAY WITH INTERCHANGE IMPROVEMENTS AT JONES SAUSAGE ROAD AND US 70	12.00	80%	(C)	JUNE 2014 OCTOBER 2017	2019/2020	SUMMER 2018	APRIL 2019	AUGUST 2024		NCDOT
20	NC-540 (R-2721A)	NC 55	EAST OF PIERCE OLIVE ROAD	6 LANE FREEWAY ON NEW LOCATION	4.36	65%	(C)	N/A	2019/2020	2018	APRIL 2019	MARCH 2024		NCDOT
21	NC-540 (R-2721B)	EAST OF PIERCE OLIVE ROAD	US 401	6 LANE FREEWAY ON NEW LOCATION	4.92	75%	(C)	N/A	2019/2020	2018	FEBRUARY 2019	MARCH 2024		NCDOT
22	NC-540 (R-2828)	US 401	I-40	6 LANE FREEWAY ON NEW LOCATION	8.62	65%	(C)	N/A	2019/2020	2018	NOVEMBER 2018	MARCH 2024		NCDOT



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23	US 401 WIDENING (U-5302)	SOUTH OF OLD STAGE ROAD	SOUTH OF MECHANICAL BOULEVARD	WIDEN FROM 4 LANE TO 6 LANE DIVIDED SECTION WITH RAISED GRASS MEDIAN AND SIDEWALK ALONG BOTH SIDES	1.15	100%	(D)	08/16/18	2021/2022	LATE 2022	FEBRUARY 2023	2025		NCDOT
24	US 70/NC 50 BRIDGE REPLACEMENT (B-4654)	WEST OF CIRCLE DRIVE	MAIN STREET	REPLACE BRIDGE WITH BETTERMENTS (LIGHTING, RAIL, MEDALLIONS), AND SIDEWALKS BOTH SIDES, RAMP MODIFICATIONS WITH NEW SIGNALS	0.41	100%	(D)	02/15/18	N/A	LATE 2022	FEBRUARY 2023	2025	\$300,000	NCDOT/TOG BETTERMENT COSTS
26	RAYNOR ROAD (SR 2555) BRIDGE REPLACEMENT (B-5326)	N/A	N/A	REPLACE BRIDGE OVER WHITE OAK CREEK	0.29	100%	(D)	N/A	N/A	SUMMER 2022	OCTOBER 2022	TBD		NCDOT
27	NC 50 WIDENING (HL-0008C)	TIMBER DRIVE	NEW RAND ROAD	WIDENING TO CREATE DUAL NORTHBOUND LANES WITH CURB AND SIDEWALK ON EAST SIDE OF NC 50	0.20	85%	(D)	NOVEMBER 2021	SUMMER 2022	EARLY 2023	MAY 2023	2025		NCDOT
28	LAKE WHEELER ROAD INTERSECTION IMPROVEMENT PROJECT (HL-0008H)		SIMPKINS ROAD	WIDENING FOR NORTHBOUND RIGHT TURN LANE ON LAKE WHEELER ROAD AT SIMPKINS ROAD INTERSECTION	0.10	85%	(D)	FEBRUARY 2022	SUMMER 2022	FALL 2022	AUGUST 2024	2025		NCDOT
29	NC 50/RAND ROAD INTERSECTION IMPROVEMENT (HL-0008I)		RAND ROAD	CONTINUOUS FLOW (GREEN-T) INTERSECTION IMPROVEMENT AT NC 50/RAND ROAD INTERSECTION. PROJECT INCLUDES ADDITION OF CURB AND SIDEWALK ON WEST SIDE OF RAND ROAD	0.53	15%	(D)	TBD	TBD	EARLY 2025	JUNE 2025	2027		NCDOT
30	US 401 BRIDGE REPLACEMENT OVER SWIFT CREEK (B-5987)	SIMPKINS ROAD	TRANSPORT DRIVE	REPLACE BRIDGES OVER SWIFT CREEK. INCLUDES SUPERSTREET CONFIGURATION ON US 401 AND INTERSECTION IMPROVEMENTS AT LEGEND DRIVE	0.74	25%	(D)	N/A	2023	2024	2024	2026		NCDOT
31	NC-540 (R-2829)	I-40	US 64	6 LANE FREEWAY ON NEW LOCATION	10.80	0%	DESIGN-BUILD	N/A	TENTATIVE ROW FY25, LETTING FY26					NCDOT
32	GROVEMONT ROAD BRIDGE REPLACEMENT (BP5-R105)	N/A	N/A	BRIDGE OVER UNNAMED TRIBUTARY TO SWIFT CREEK	N/A	0%	(D)	N/A	NEW PROJECT, TENTATIVE LETTING 2026					NCDOT
33	US 70/VANDORA SPRINGS BRIDGE REPLACEMENT (B-5681)	N/A	N/A	REPLACE BRIDGE OVER US 70	N/A	0%	(D)	N/A	TENTATIVE LETTING OF JANUARY 2027					NCDOT
25	US 70/TIMBER DRIVE/HAMMOND RD (U-5744)	MECHANICAL BOULEVARD	TIMBER CROSSING MAIN ENTRANCE	CONVERSION OF US 70/TIMBER DRIVE INTERSECTION TO A CONTINUOUS FLOW INTERSECTION	1.10	70%	(D)	03/27/18	DESIGN 65% COMPLETE, PROJECT SUSPENDED BY NCDOT (LETTING PAST 2029)					NCDOT
34	VANDORA SPRINGS/NC RAILROAD GRADE SEPARATION (P-5738)	N/A	N/A	CONSTRUCT GRADE SEPARATION AND CLOSE CROSSING	N/A	0%	(D)	N/A	PROJECT SUSPENDED BY NCDOT (ROW IN FY26, CONST IN FY28)					NCDOT
35	US 401 WIDENING (U-5746)	TEN TEN ROAD (SR 1010)	WAKE TECHNICAL COMMUNITY COLLEGE	WIDEN FROM 4 LANE TO 6 LANE DIVIDED SECTION WITH RAISED GRASS MEDIAN AND SIDEWALK ALONG BOTH SIDES	0.83	100%	(D)	TBD	DESIGN AND ROW COMPLETE, PROJECT SUSPENDED BY NCDOT, LETTING DATE TO BE DETERMINED					NCDOT
36	US 401 WIDENING (U-6112)	TEN TEN ROAD INTERSECTION		CONVERT EXISTING SIGNALIZED INTERSECTION TO SQUARE-LOOP INTERCHANGE	N/A	0%	(D)	N/A	PROJECT SUSPENDED BY NCDOT (ROW IN FY27, CONST POST FY29)					NCDOT
37	US 401 WIDENING (U-6116)	SIMPKINS ROAD	MECHANICAL BOULEVARD	WIDEN FROM 4 LANE TO 6 LANE DIVIDED SECTION WITH RAISED GRASS MEDIAN AND SIDEWALK ALONG BOTH SIDES	2.00	0%	(D)	TBD	PROJECT SUSPENDED BY NCDOT (ROW IN FY29)					NCDOT



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NCDOT RESURFACING PROJECTS														
38	LEGEND HILLS, PENWYCK ESTATES, WYNWOOD SUBDIVISIONS (ETJ)	VARIOUS STREETS			1.70	100%	(C)	N/A	N/A	SUMMER 2021	FALL 2021	2022		NCDOT
39	HOME COURT	US 401	DEAD END	FULL DEPTH PATCHING AND 1.5" S9.5B	0.22	100%	(C)	N/A	N/A	SUMMER 2021	FALL 2021	2022		NCDOT
40	VANESSA DRIVE	MAXWELL COURT	GROVEMONT DRIVE	FULL DEPTH PATCHING AND 1.25" S9.5B	0.22	100%	(C)	N/A	N/A	SUMMER 2021	FALL 2021	2022		NCDOT
41	SPRING DRIVE	VANDORA SPRINGS ROAD	COLDWATER DRIVE	FULL DEPTH PATCHING AND 1.5" S9.5B	0.93	0%	(C)	N/A	N/A	SUMMER 2022	FALL 2022	JULY 2024		NCDOT
42	THOMPSON ROAD	TIMBER DRIVE	END	FULL DEPTH PATCHING AND 1.25" S9.5A	0.68	0%	(C)	N/A	N/A	SUMMER 2022	FALL 2022	JULY 2024		NCDOT
43	BRYAN ROAD	WHITE OAK ROAD	ACKERMAN ROAD	FULL DEPTH PATCHING AND 1.5" S9.5B	1.35	0%	(C)	N/A	N/A	SUMMER 2022	FALL 2022	JULY 2024		NCDOT
44	VILLAGE OF WHITE OAK (ETJ)	VARIOUS STREETS		FULL DEPTH PATCHING AND 1.5" S9.5B	0.65	0%	(C)	N/A	N/A	SUMMER 2022	FALL 2022	JULY 2024		NCDOT
45	CLAYMORE DRIVE	AVERSBORO ROAD	DON MILLER DRIVE	MILL AND RESURFACE 1.5" S9.5B	0.14	0%	(C)	N/A	N/A	SUMMER 2022	FALL 2022	JULY 2024		NCDOT