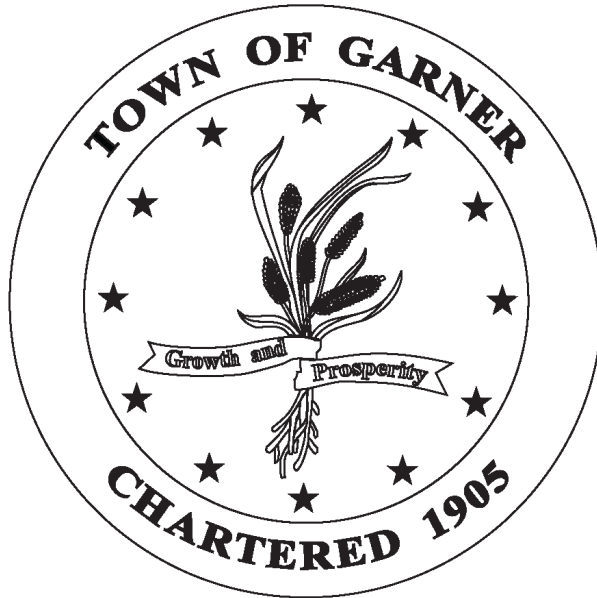


# TOWN OF GARNER



## TOWN COUNCIL MEETING

October 7, 2019  
7:00 P.M.

Garner Town Hall  
900 7th Avenue  
Garner, NC 27529

**Town of Garner  
Town Council Agenda  
October 7, 2019**

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

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

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

B. PLEDGE OF ALLEGIANCE: Mayor Ronnie S. Williams

C. INVOCATION: Mayor Ronnie S. Williams

D. PETITIONS AND COMMENTS

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

E. ADOPTION OF AGENDA

F. PRESENTATIONS

G. CONSENT

1. 2020 Council Meeting Schedule ..... Page 7  
Presenter: Rodney Dickerson, Town Manager

Resolution to set the 2020 Council Meeting Schedule

Action: Consider adopting Resolution (2019) 2390

2. ANX-19-07, Avenues at White Oak ..... Page 10  
Presenter: David Bamford, Planning Services Manager

Contiguous annexation petition submitted by Garner Road Partnership, LLC for 27.3 +/- acres located on E Garner Road and may be further identified as Wake County PIN# 1721-13-1030.

3. ANX 19-09, Town of Garner ..... Page 13  
Presenter: David Bamford, Planning Services Manager

Contiguous annexation petition submitted by the Town of Garner for 45.11 +/- acres located on E Garner Road, and may be further identified as Wake County PIN# 1721-03-339

4. ANX 19-10, CCAC Building Solutions ..... Page 16  
Presenter: David Bamford, Planning Services Manager

Satellite annexation petition submitted by CCAC Investment Properties LLC for 5.78 +/- acres located at 2000 Waterfield Drive and may be further identified as Wake County PIN# 1730-12-8487.

5. ANX 19-11, ANX-19-11, The Produce Box ..... Page 19  
Presenter: David Bamford, Planning Services Manager

Contiguous annexation petition submitted by TPB Development LLC for 2.63 +/- acres located at 900 Withers Road, further identified as Wake County PIN# 1702-01-6102.

Action for ANX-19-07, Avenues at White Oak, ANX 19-09, Town of Garner, ANX 19-10, CCAC Building Solutions, and ANX 19-11, The Produce Box: consider adopting Resolution (2019) 2391 setting public hearings for November 4, 2019

6. Budget Amendment-Town Attorney Contract ..... Page 23  
Presenter: David Beck, Finance Director

Budget amendment for an increased monthly retainer amount for the Town Attorney. Additional compensation was approved by Council at their 7/30/2019 work session meeting due to the amount of detailed legal work related to ongoing Town projects and development.

Action: Consider Adopting Ordinance (2019) 4001

7. Budget Amendment - Audit Contract ..... Page 25  
Presenter: David Beck, Finance Director

Budget amendment for additional CAFR preparation assistance from the Town's audit firm. An amended audit contract incorporating the additional work was approved by Council at their 9/3/2019 regular meeting.

Action: Consider adopting Ordinance (2019) 4002

8. Budget Amendment - New Ladder Truck Debt Service ..... Page 28  
Presenter: David Beck, Finance Director

Budget amendment for Town share of FY 2019-20 debt service payments due for a recently delivered ladder truck for GVFD. The cost was not included in the FY 2019-20 budget based on guidance from Wake County staff. There will be 10 monthly installment payments due during FY 2019-20. Annual Town cost going forward until debt maturity will be approximately \$62,888.

Action: Consider adopting Ordinance (2019) 4003

9. Budget Amendment for Fund 61 Streets & Sidewalks ..... Page 30  
Presenter: Presenter: David Beck, Finance Director

Budget amendment for outside funding sources related to Streets & Sidewalks projects. Revenue is for 50% cost share from Wake County related to Bryan Rd. Elementary project as well as NCDOT LAPP funding for the Timber Dr. sidewalk and Ackerman/Hebron/White Oak roundabout projects.

Action: Consider adopting Ordinance (2019) 4004

10. Budget Amendment - Transit Study ..... Page 32  
Presenter: Presenter: David Beck, Finance Director

Budget amendment for Garner Transit Planning Study performed by Kimley-Horn and Associates which was approved by Council at their 8/20/2019 regular meeting. The Town will be reimbursed for 50% of the study cost by GoTriangle.

Action: Consider adopting Ordinance (2019) 4005

11. Council Meeting Minutes .....Page 34  
Presenter: Stella Gibson, Town Clerk

Council meeting minutes from the August 20, September 3, September 17 and August 27, 2019. Closed session minutes from August 27, and September 17, 2019.

Action: Consider adopting minutes

12. New Rand Road Contract Amendment No. 8 - Construction Admin and Materials Testing ..... Page 58  
Presenter: Chris Johnson, Town Engineer

Contract amendment with Kimley-Horn and subcontractor (Falcon Engineering) to provide construction administration and materials testing during construction phase of project.

Action: Consider approval of Contract Amendment No. 8 and authorize the Town Manager to execute amendment

13. Spring Drive Sidewalks Contract Amendment - Materials Testing ..... Page 71  
Presenter: Chris Johnson, Town Engineer

Contract Amendment to cover materials testing services on the Spring Drive Sidewalks construction project.

Action: Consider approval of Contract Amendment and authorize the Town Manager to execute amendment

14. Stop Conditions - Oak Park Phase 3A ..... Page 77  
Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of a Stop Condition in Oak Park Subdivision Phase 3A on Edmer Lane at the intersection with Laporte Path to serve as a basic traffic control measure.

Action: Consider adopting Ordinance (2019) 4008

#### H. PUBLIC HEARINGS

1. CUD-Z-19-05 & CUP-SB 19-02, Thompson Business Park ..... Page 81  
Presenter: David Bamford, Planning Services Manager

Conditional use rezoning (CUD-Z-19-05) with associated subdivision plan (CUP-SB-19-02) request submitted by TMTLA Associates to rezone 33.7 +/- acres from Service Business (SB) and Single-Family Residential (R-20) to Service Business Conditional Use (SB C-218) and Single-Family Residential Conditional Use (R-9 C-218). The site is located at 1530, 1502, 1518, & 1506 W. Garner Road and can be further identified as Wake County PIN(s)# 1711-17-7822, 1711-27-1892, 1711-37-1783, & 1711-17-7351.

Action: Consider adopting Ordinance (2019) 4007

I. NEW/OLD BUSINESS

1. Meadowbrook Property Contract Update ..... Page 113  
Presenter: McAdams- Consultants

McAdams will present updates to the master planning contract for Meadowbrook Property. Revised contract fees total \$74,430.

Action: Authorize manager to sign updated contract.

2. Yeargan Property Contract Update ..... Page 124  
Presenter: McAdams- Consultants

McAdams will present the master planning contract for Yeargan property. Phase I of the contract (Due Diligence) was previously approved 8/20/2019. Fees for Phase II of the contract (Master Planning) are \$37,215.

Action: Authorize Town Manager to sign contract

3. Depot and Caboose Relocation ..... Page 137  
Presenter: Forrest Jones, Public Works Director

Public Works has received quotes to relocate the Depot and Caboose from current locations to the vacant lot adjacent to 110 Pearl St. Devooght House Lifters submitted an estimate to relocate only the Depot at a cost of \$50,000.00. Wolfe House & Building Movers submitted quotes to relocate both the Depot (\$34,125.00) and the Caboose (\$32,550.00) for a total of \$66,675.00.

Action: Award contract to Wolfe House & Building Movers to relocate the Depot and Caboose in the amount of \$66,675.00

4. Depot Renovation Contract ..... Page 142  
Presenter: Forrest Jones, Public Works Director

We have received quotes to perform repairs to exterior of the Depot, as well as digging the footings and installing the foundation. Quality Design submitted a quote in the amount of \$90,266.57. Total Construction submitted a quote in the amount of \$83,433.28.

Action: Award a contract to Total Construction in the amount of \$83,433.28 to perform work outlined in quote 2624

- 5. Kennedy Ridge Re-Submittal Time Lapse Waiver Request ..... Page 144  
Presenter: Jeff Triezenberg, Planning Director

Request submitted by Dan Ryan Builders in accordance with Article 3.12.H.5. regarding Town Council consideration of waiving the one-year time-lapse requirement in Article 3.12.H.4. The request would allow an application similar to CUP-SB-19-01, Kennedy Ridge Subdivision, to be submitted to the Planning Department prior to August 4, 2020.

Action: Consider motion to either grant or deny waiver

- 6. Pay and Class Vendor Selection ..... Page 146  
Presenter: BD Sechler, Human Resources Director

As requested, Human Resources has completed an analysis on a new vendor for the annual pay and class study and the one time compression analysis.

Action: Consider approving Ordinance (2019) 4009

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- 1. garner info
- 2. Capital Projects Status Report (3<sup>rd</sup> Quarter)
- 3. DOT Projects Update
- 4. Building & Permit Report
- 5. Food Truck Rodeo – October 20
- 6. Candidates Forum – October 8
- 7. Little Mermaid playing at GPAC – October 18, 19, 25, 26

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

Pursuant to N.C. General Statutes 143.318.11.(a)(3) “to consult with the Town Attorney regarding litigation.”

O. ADJOURNMENT

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: 2020 Council Meeting Schedule		
Location on Agenda: Consent		
Department: Council		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: Resolution to set the 2020 Council Meeting Schedule		
Recommended Motion and/or Requested Action: Consider adopting Resolution (2019) 2390		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	RD	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



RESOLUTION NO. (2019) 2390

A RESOLUTION OF THE TOWN OF GARNER TOWN COUNCIL ADOPTING THE 2020  
COUNCIL MEETING SCHEDULE

WHEREAS, the Town of Garner Town Council sets its regular meeting and work session schedule as follows:

MONTH	DATE	DAY	TYPE	TIME
<b>JANUARY</b>	6	Monday	Regular	7:00 PM
	21	Tuesday	Regular	7:00 PM
	28	Tuesday	Work Session	6:00 PM
<b>FEBRUARY</b>	3	Monday	Regular	7:00 PM
	18	Tuesday	Regular	7:00 PM
	25	Tuesday	Work Session	6:00 PM
<b>MARCH</b>	2	Monday	Regular	7:00 PM
	17	Tuesday	Regular	7:00 PM
	31	Tuesday	Work Session	6:00 PM
<b>APRIL</b>	6	Monday	Regular	7:00 PM
	21	Tuesday	Regular	7:00 PM
	28	Tuesday	Work Session	6:00 PM
<b>MAY</b>	4	Monday	Regular	7:00 PM
	19	Tuesday	Regular	7:00 PM
	26	Tuesday	Work Session	6:00 PM
<b>JUNE</b>	1	Monday	Regular	7:00 PM
	16	Tuesday	Regular	7:00 PM
	30	Tuesday	Work Session	6:00 PM
<b>JULY</b>	7	Tuesday	Regular	7:00 PM
	21	Tuesday	Regular	7:00 PM
	28	Tuesday	Work Session	6:00 PM
<b>AUGUST</b>	3	Monday	Regular	7:00 PM
	18	Tuesday	Regular	7:00 PM
	25	Tuesday	Work Session	6:00 PM
<b>SEPTEMBER</b>	8	Tuesday	Regular	7:00 PM
	22	Tuesday	Regular	7:00 PM
	29	Tuesday	Work Session	6:00 PM
<b>OCTOBER</b>	5	Monday	Regular	7:00 PM
	20	Tuesday	Regular	7:00 PM
	27	Tuesday	Work Session	6:00 PM

<b>NOVEMBER</b>	2	Monday	Regular	7:00 PM
	17	Tuesday	Regular	7:00 PM
	24	Tuesday	Work Session	6:00 PM
<b>DECEMBER*</b>	7	Monday	Regular	7:00 PM
	22	Tuesday	Regular	7:00 PM
*There is no work session planned for December 2019				

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

Duly adopted this the 7<sup>th</sup> day of October, 2019.

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Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: ANX-19-07, Avenues at White Oak		
Location on Agenda: Consent		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  Contiguous annexation petition submitted by Garner Road Partnership, LLC for 27.3 +/- acres located on E Garner Road and may be further identified as Wake County PIN# 1721-13-1030.		
Recommended Motion and/or Requested Action: Set public hearing for November 4, 2019		
Detailed Notes: Related case: CUP-SB-18-02, Avenues at White Oak was approved on November 20, 2018.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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## Planning Department Memorandum

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** ***ANX-19-07, Avenues at White Oak***

**DATE:** October 7, 2019

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**ANNEXATION APPLICATION:** ANX-19-07

**OWNERS:** Garner Road Partnership, LLC

**CONTIGUOUS / SATELLITE:** Contiguous

**LOCATION OF PROPERTY:** E Garner Road

**WAKE COUNTY PIN #:** 1721-13-1030

**REAL ESTATE ID #:** 0009701

**AREA:** 27.3 +/- acres

**ZONING:** MF-2 C-203

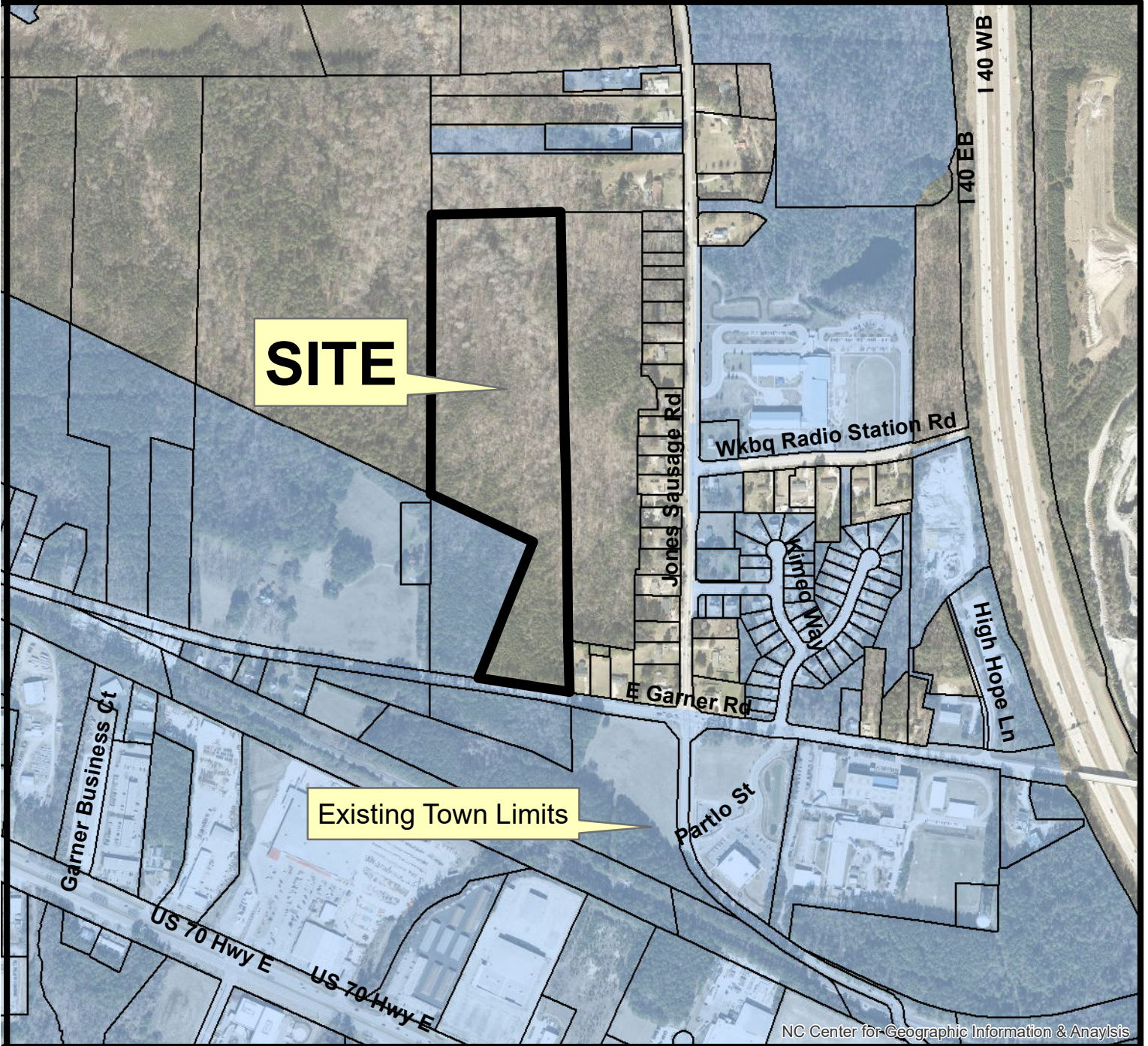
**ASSOCIATED DEVELOPMENT PLAN:** CUP-SB-18-02, Avenues at White Oak was approved on November 20, 2018.

**RECOMMENDATION:** Set Public Hearing for November 4, 2019

**Town of Garner  
Planning Department**

**Annexation  
ANX 19-07**

0 500 1,000  
Feet



Project: Avenue at White Oak  
Owner: Garner Road Partnership LLC  
Area: 27.3 acres  
Pin: 1721131030

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: ANX-19-09: Town of Garner Property		
Location on Agenda: Consent		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  Contiguous annexation petition submitted by the Town of Garner for 45.11 +/- acres located on E Garner Road, and may be further identified as Wake County PIN# 1721-03-3394.		
Recommended Motion and/or Requested Action: Set public hearing for November 4, 2019		
Detailed Notes: The Town purchased 72.4-acres on April 16, 2019. The property has approx 27.29 acres already in the Town limits and 45.11 acres outside the Town limits. The purpose of this petition is to annex the area outside.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Memorandum

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** ***ANX-19-09, Town of Garner Property***

**DATE:** October 7, 2019

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**ANNEXATION APPLICATION:** ANX-19-09

**OWNERS:** Town of Garner

**CONTIGUOUS / SATELLITE:** Contiguous

**LOCATION OF PROPERTY:** E Garner Road

**WAKE COUNTY PIN #:** 1721-03-3394

**REAL ESTATE ID #:** 0080214

**AREA:** 45.11 +/- acres

**ZONING:** R-40

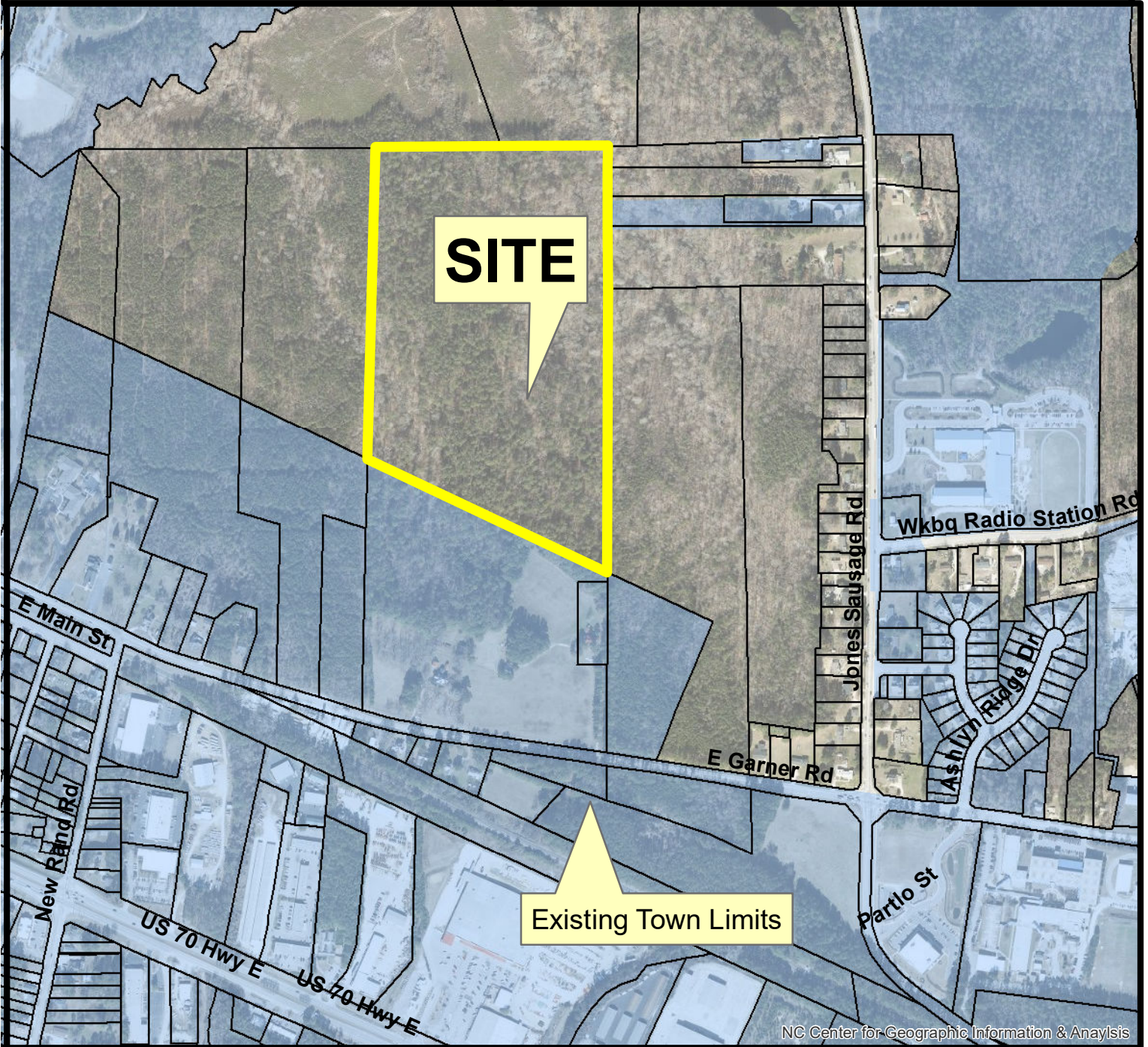
**ASSOCIATED DEVELOPMENT PLAN:** None. This is the Town property along E. Garner Road purchased on April 16, 2019, formerly known as the Yeargan Farm.

**RECOMMENDATION:** Set Public Hearing for November 4, 2019

**Town of Garner  
Planning Department**

**Annexation  
ANX 19-09**

0 500 1,000  
Feet



NC Center for Geographic Information & Analysis

Project: Town of Garner  
Owner: Town of Garner  
Area: 45.11 acres  
Pin: 1721033394



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: ANX-19-10, CCAC Building Solutions		
Location on Agenda: Consent		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  Satellite annexation petition submitted by CCAC Investment Properties LLC for 5.78 +/- acres located at 2000 Waterfield Drive and may be further identified as Wake County PIN# 1730-12-8487.		
Recommended Motion and/or Requested Action: Set public hearing for November 4, 2019		
Detailed Notes: Related case: SUP-SP-19-02, CCAC Building Solutions was approved on July 1, 2019.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

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## Planning Department Memorandum

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** *ANX-19-10, CCAC Building Solutions*

**DATE:** October 7, 2019

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**ANNEXATION APPLICATION:** ANX-19-10

**OWNERS:** CCAC Investment Properties LLC

**CONTIGUOUS / SATELLITE:** Satellite

**LOCATION OF PROPERTY:** 2000 Waterfield Drive

**WAKE COUNTY PIN #:** 1730-12-8487

**REAL ESTATE ID #:** 0346857

**AREA:** 5.78 +/- acres

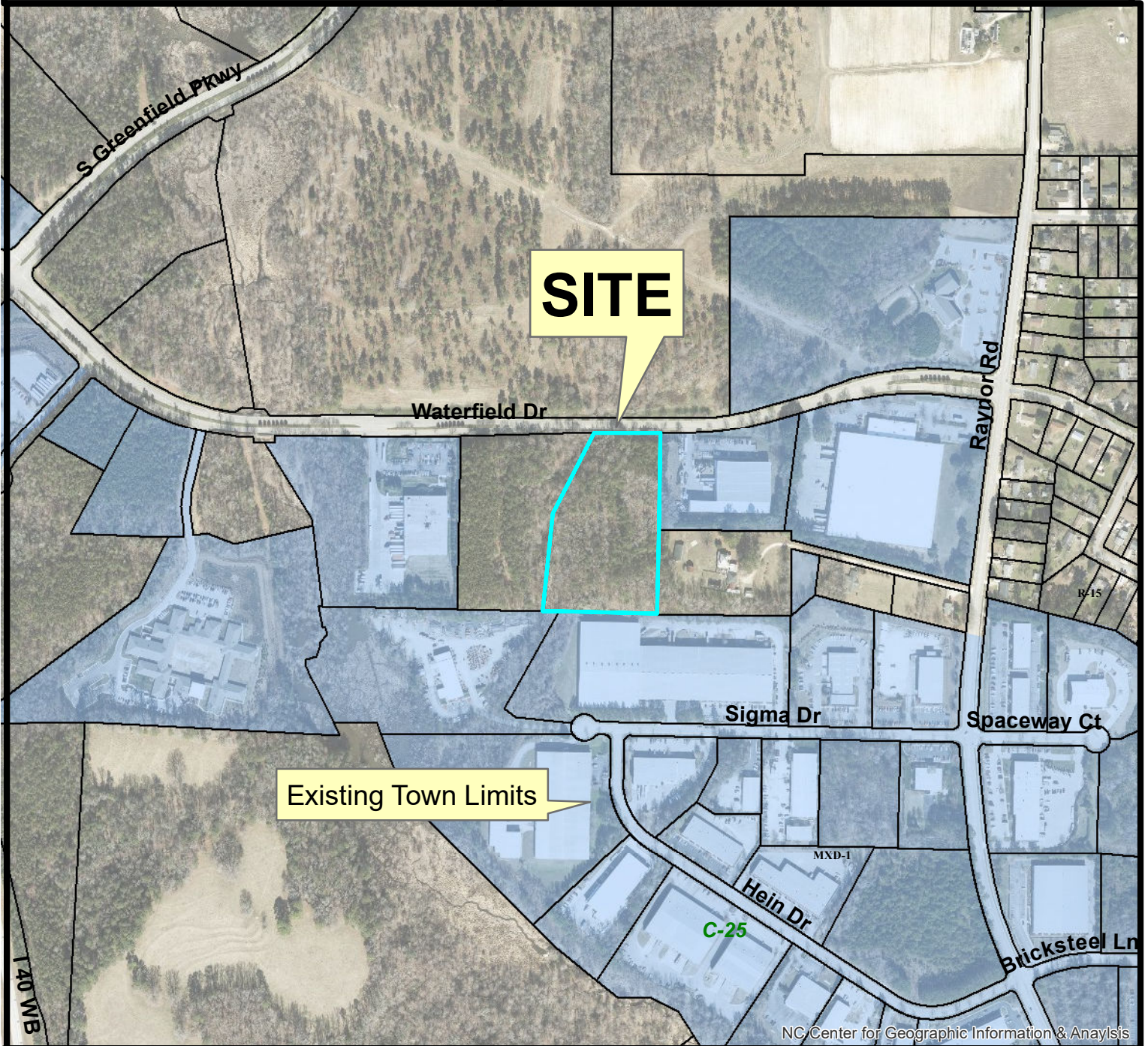
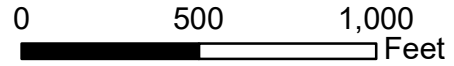
**ZONING:** MXD-1

**ASSOCIATED DEVELOPMENT PLAN:** SUP-SP-19-02, CCAC Building Solutions was approved on July 1, 2019.

**RECOMMENDATION:** Set Public Hearing for November 4, 2019

**Town of Garner  
Planning Department**

**Annexation  
ANX 19-10**



NC Center for Geographic Information & Analysis

Project: CCAC Building Solutions  
Owner: CCAC Investment Properties LLC  
Area: 5.78  
Pin: 1730128487

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: ANX-19-11, The Produce Box		
Location on Agenda: Consent		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager		
Brief Summary:  Contiguous annexation petition submitted by TPB Development LLC for 2.63 +/- acres located at 900 Withers Road, further identified as Wake County PIN# 1702-01-6102.		
Recommended Motion and/or Requested Action: Set public hearing for November 4, 2019		
Detailed Notes: The Produce Box - a business located on this parcel - is requesting connection to public water and sewer.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Memorandum

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**TO:** Mayor and Town Council

**FROM:** David Bamford, AICP; Planning Services Manager

**SUBJECT:** ***ANX-19-11, The Produce Box***

**DATE:** October 7, 2019

---

**ANNEXATION APPLICATION:** ANX 19-07

**OWNERS:** TPB Development LLC

**CONTIGUOUS / SATELLITE:** Contiguous

**LOCATION OF PROPERTY:** 900 Withers Road

**WAKE COUNTY PIN #:** 1702-01-6102

**REAL ESTATE ID #:** 0124884

**AREA:** 2.63 +/- acres

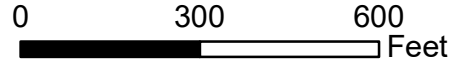
**ZONING:** SB

**ASSOCIATED DEVELOPMENT PLAN:** None. The Produce Box is requesting connection to public water and sewer. Per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service.

**RECOMMENDATION:** Set Public Hearing for November 4, 2019

**Town of Garner  
Planning Department**

**Annexation  
ANX 19-11**



Project: The Produce Box  
Owner: TPB Development LLC  
Location: 900 Withers Road  
Area: 2.63  
Pin: 1702016102

RESOLUTION NO. (2019) 2391

**RESOLUTION FIXING DATE OF PUBLIC HEARINGS ON QUESTION OF ANNEXATIONS  
PURSUANT TO G.S. 160A-31 AND 160A-58.1, AS AMENDED.**

WHEREAS, four (4) petitions requesting annexation of the areas described herein have been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of said petitions have been made;

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

**Section 1.** That public hearings on the question of annexation of the areas described herein will be held at the Town Hall at 7:00 p.m. on the 4<sup>th</sup> day of November, 2019.

**Section 2.** The areas proposed for annexation are described as follows:

- (ANX 19-07) Avenues at White Oak – Contiguous annexation
- (ANX 19-09) Town of Garner Property – Contiguous annexation
- (ANX 19-10) CCAC Building Solutions – Satellite annexation
- (ANX 19-11) The Produce Box – Contiguous annexation

**Section 3.** Notice of said public hearings shall be published in the *News & Observer*, a newspaper having general circulation in the Town of Garner, at least ten (10) days prior to the date of said public hearings.

Duly adopted this 7<sup>th</sup> day of October, 2019.

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Ronnie S. Williams

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Budget Amendment-Town Attorney Contract		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary:  Budget amendment for an increased monthly retainer amount for the Town Attorney. Additional compensation was approved by Council at their 7/30/2019 work session meeting due to the amount of detailed legal work related to ongoing Town projects and development.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2019) 4001		
Detailed Notes:		
Funding Source:		
Cost: \$48,000	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



ORDINANCE NO. (2019) 4001

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

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

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

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 1,844,043	\$ 48,000	\$ 1,892,043

TOTAL REVENUE INCREASE (DECREASE) \$ 48,000.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10412000-521000	Professional Services		\$ 120,000	\$ 48,000	\$ 168,000

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 48,000.00

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 7th day of October, 2019.

ATTEST:

\_\_\_\_\_  
Ronnie S. Williams, Mayor

\_\_\_\_\_  
Stella L. Gibson , Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Budget amendment for audit contract		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck		
Presenter: David C. Beck		
Brief Summary:  Budget amendment for additional CAFR preparation assistance from the Town's audit firm. An amended audit contract incorporating the additional work was approved by Council at their 9/3/2019 regular meeting.		
Recommended Motion and/or Requested Action: Consider adopting ordinance (2019) 4002		
Detailed Notes:		
Funding Source: Fund Balance		
Cost: \$4,000	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2019) 4002

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

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

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

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 1,840,043	\$ 4,000	\$ 1,844,043

TOTAL REVENUE INCREASE (DECREASE) \$ 4,000.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10441000-521000	Professional Services		\$ 50,300	\$ 4,000	\$ 54,300

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 4,000.00

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 7th day of October, 2019.

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Ronnie S. Williams, Mayor

ATTEST:

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Stella L. Gibson , Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Budget amendment for new ladder truck debt service		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck		
Presenter: David C. Beck		
Brief Summary:  Budget amendment for Town share of FY 2019-20 debt service payments due for a recently delivered ladder truck for GVFD. The cost was not included in the FY 2019-20 budget based on guidance from Wake County staff. There will be 10 monthly installment payments due during FY 2019-20. Annual Town cost going forward until debt maturity will be approximately \$62,888.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2019) 4003		
Detailed Notes:		
Funding Source:		
Cost: \$52,596	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2019) 4003

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

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

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

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 1,737,485	\$ 52,596	\$ 1,790,081

TOTAL REVENUE INCREASE (DECREASE) \$ 52,596.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10531000-524353	Contract Services - GVFD Inc.		\$ 3,299,476	\$ 52,596	\$ 3,352,072

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 52,596.00

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 7th day of October, 2019.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Stella L. Gibson , Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Budget Amendment for Fund 61 Streets & Sidewalks		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck		
Presenter: David C. Beck		
Brief Summary:  Budget amendment for outside funding sources related to Streets & Sidewalks projects. Revenue is for 50% cost share from Wake County related to Bryan Rd. Elementary project as well as NCDOT LAPP funding for the Timber Dr. sidewalk and Ackerman/Hebron/White Oak roundabout projects.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2019) 4004		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2019) 4004

ORDINANCE AMENDING ORDINANCE NO. (2013) 3702  
WHICH ESTABLISHED THE FUND 61 MULTI-YEAR PROJECT BUDGET

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

Section One. That the STREET/SIDEWALK IMPROVEMENTS FUND be amended as follows:

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
61561000-411230-99918	Wake County	Bryan Rd Elementary	\$ -	\$ 89,570	\$ 89,570
61561000-411176-99922	NCDOT LAPP Grant	Timber Dr-LAPP	\$ -	\$ 324,690	\$ 324,690
61561000-411176-99919	NCDOT LAPP Grant	Ackerman, Hebron, White	\$ -	\$ 1,616,712	\$ 1,616,712

TOTAL REVENUE INCREASE (DECREASE) \$ 2,030,972.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
61561000-537612-99918	Shared Use of Schools	Bryan Rd Elementary	\$ 90,000	\$ 89,570	\$ 179,570
61561000-537220-99922	Sidewalk Construction	Timber Dr-LAPP	\$ 82,000	\$ 324,690	\$ 406,690
61561000-537100-99919	Land Acquisition	Ackerman, Hebron, White	\$ -	\$ 75,000	\$ 75,000
61561000-537600-99919	Construction	Ackerman, Hebron, White	\$ 538,904	\$ 1,541,712	\$ 2,080,616

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 2,030,972.00

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 7th day of October, 2019.

ATTEST:

\_\_\_\_\_  
Ronnie S. Williams, Mayor

\_\_\_\_\_  
Sella L. Gibson, Town Clerk



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Budget amendment for transit study		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary:  Budget amendment for Garner Transit Planning Study performed by Kimley-Horn and Associates which was approved by Council at their 8/20/2019 regular meeting. The Town will be reimbursed for 50% of the study cost by GoTriangle.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2019) 4005		
Detailed Notes:		
Funding Source: Fund Balance		
Cost: \$99,924	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. (2019) 4005

ORDINANCE AMENDING ORDINANCE NO. (2019) 3982  
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
10302000-411239	GoTriangle Cost Share		\$ -	\$ 49,962	\$ 49,962
10309000-496900	Appropriated Fund Balance		\$ 1,790,081	\$ 49,962	\$ 1,840,043

TOTAL REVENUE INCREASE (DECREASE) \$ 99,924.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10461000-524300	Contract Services		\$ 30,099	\$ 99,924	\$ 130,023

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 99,924.00

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 7th day of October, 2019.

ATTEST:

\_\_\_\_\_  
Ronnie S. Williams, Mayor

\_\_\_\_\_  
Stella L. Gibson , Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary:  Council meeting minutes from the August 20, September 3, September 17 and August 27, 2019. Closed session minutes from August 27 and September 17, 2019.		
Recommended Motion and/or Requested Action: Consider adopting minutes		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner  
Town Council Meeting Minutes  
August 20, 2019**

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

**CALL MEETING TO ORDER/ROLL CALL**

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Roylance-Asst. Town Manager-Operations, David Beck-Finance Director, Chris Johnson-Town Engineer, David Bamford-Planning Services Manager, Rick Mercier-Communications Manager, Jeff Triezenberg-Planning Director, Sonya Shaw-PRCR Director, Forrest Jones-Public Works Director, Rob Smith-Asst. PRCR Director, Brandon Zuidema-Police Chief, Thad Anderson-Associate Attorney, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Council Member Buck Kennedy

**INVOCATION:** Council Member Buck Kennedy invited Dr. Jeffrey Sholar, Lead Pastor of Aversboro Road Baptist Church, to deliver the invocation.

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Request to hear UDO-19-02, Fee-in-Lieu of UDO Requirements Update under New/Old Business before PD-Z-19-03 & PD-MP-19-03, Oak Park West.

Motion: Marshburn  
Second: Behringer  
Vote: 5:0

**PRESENTATIONS**

Mr. Dickerson recognized Pam Wortham for her dedicated service to the Town.

Neal Padgett, of the Garner Chamber of Commerce, presented the 2019 James R. Stevens Service to Garner award to Council Member Buck Kennedy.

**CONSENT**

**Nuisance Abatements**

Presenter: David Beck, Finance Director

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

Action: Approve Resolution (2019) 2384

**Town of Garner Police Department Attorney Services Contract**

Presenter: Brandon Zuidema, Police Chief

The current contract for Police Attorney John Maxfield needs to be updated as he is no longer an employee of the Wake County Sheriff's office, which is indicated in the current contract.

Action: Approve contract and authorize the Town Manager to execute

**Standard Contract Services Templates - Engineering Department**

Presenter: Chris Johnson, Town Engineer

Provide new standard contract and scope of services templates for use on professional engineering projects, as previously presented at the July 30 Council Work Session.

Action: Approve contract and scope of services templates for use on future engineering projects

**Council Meeting Minutes**

Presenter: Stella Gibson, Town Clerk

Council meeting minutes from July 1, July 16, July 30, 2019 and August 5, 2019 and special meeting minutes from June 18 and July 15, 2019.

Action: Adopt minutes

**Trade Street Paving - Public Private Partnership Agreement**

Presenter: Chris Johnson, Town Engineer

Approve draft public/private partnership agreement between the Town of Garner and JB Auto Upholstery, LLC for paving of Trade Street.

Action: Approve agreement

**Resolution Declaring Surplus Property**

Presenter: David Beck, Finance Director

Resolution allowing the Public Works department to dispose of Police department vehicles that are no longer in use.

Action: Adopt Resolution (2019) 2386

Motion: Marshburn  
Second: Singleton  
Vote: 5:0

**UDO-19-02, Fee-in-Lieu of UDO Requirements Update**

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg stated the text amendment submitted by the Planning Department and Town Attorney's office requesting an amendment to the text of the Unified Development Ordinance is to update conditions under which the Town may accept a fee-in-lieu of certain requirements, including the construction of street infrastructure and the dedication of land for the development of public parks.

Action: Refer to Planning Commission for recommendation

**PUBLIC HEARINGS**

Mr. Anderson explained the procedures to be followed during this hearing and asked Council if there were any reasons that would prevent them from making an impartial decision and to disclose any ex parte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Jeff Triezenberg, David Bamford, Chris Johnson, Keith Roberts, Beth Blackmon, Rob Bailey, and Bruce Herbert.

Mayor Williams opened the hearing and asked Mr. Triezenberg to provide the staff report.

**PD-Z-19-03 & PD-MP-19-03, Oak Park West**

Presenter: Jeff Triezenberg, Planning Director

Planned Residential Development conditional use rezoning (PD-Z-19-03) with associated master plan (PD-MP-19-03) request submitted by Royal Oaks to rezone 189 +/- acres from Single-Family Residential (R-40) and Single-Family Residential (R-20) to Planned Residential District conditional use (PRD C8) for 600 units (210 townhomes and 390 single-family) of household living space. The site is located on the southwest side of New Bethel Church Road and may be further identified as Wake County PINs# 1619-84-7756, 1619-84-9320, 1619-93-4708, 1619-93-8515, and 1619-81-5817.

The following opposed the project and expressed concerns relating to:

Traffic, density, size of development, traffic infrastructure and hazards, road capacity, lot sizes, housing values, quality of homes, neighborhood safety, need for additional access in/out of neighborhood, units

being converted to rentals causing increased crime rates , the effect on schools, and the project not fitting the community.

Paul Alexander Lee, Jr., 8345 Hebron Church Road  
Will Cummings, 126 Painted Rock Court  
Michael Collins, 270 Pecan Harvest Drive  
Kelly Kennard, 100 Sutton Springs Drive  
Randy Bryan, 8540 Magnolia Lane  
Natalie Iscoe, 101 Pecan Harvest Drive  
Ed and Pam McCallum, 231 Sutton Springs Drive  
LaShawn and Gabart Piquant, 245 Pecan Harvest Drive  
Gary Butler, 100 Painted Rock Court  
Daniel McNichol, 262 Pecan Harvest Drive  
Derek McCord, 283 Pecan Harvest Drive  
Denise Thompson, 126 Elk Stone Trail  
Ray W. Ragin, Sr., 216 Pecan Harvest Drive  
Maggie Hayes, 116 Treybridge Road

John Pickel, Douglas Ball, and Matt Gilliam spoke in favor of the project.

NC DOT is responsible for improvements to Hwy 50. If the Town were to step in and make any improvements, the Town would be responsible for the cost of those improvements.

Mayor Williams left the meeting at 9:15 p.m. Mayor ProTem Marshburn conducted the remainder of the meeting.

Mr. Roberts explained with this development being closer to the school and with the higher density it would actually improve traffic. Mr. Bailey added this is a mixed use development and would provide a benefit to residents due to its' proximity to downtown Raleigh.

The proposed zoning district provided an option to work with staff regarding the ability to go up to 675 units in the future. Mr. Bailey proposed adding three additional conditions: contributing to the cost of improving Hwy 50, putting a cap on the total number of mixed units at 580 units with 180 of those being townhomes, and adding a 7" berm along the frontage of New Bethel Road. They will work with staff regarding landscaping from neighbors.

Mayor ProTem Marshburn closed the hearing.

Council Member Kennedy made a motion to table action until September 3; motion seconded by Council Member Behringer (no vote taken).

Council Member Singleton stated he would not support the project as he does not like PRD projects and will be opposed to others in the area.

Council Member Kennedy made a motion to rescind the action of closing the hearing (hearing to remain open); Motion seconded by Council Member Singleton. Vote 5:0.

Council Member Kennedy made a motion to withdraw the earlier motion until September 3 and take action at that time; Motion seconded by Council Member Singleton. Vote: 5:0

## **NEW/OLD BUSINESS**

### **Bond Issuance Resolution**

Presenter: David Beck, Finance Director

Mr. Beck stated the Town will be selling the final installment of the bonds as approved by referendum in 2013. The total amount for this sale is \$7,190,000 (Streets and Sidewalks-\$6,591,000, Parks and Recreation \$599,000).

Action: Adopt Resolution (2019) 2385

Motion: Kennedy  
Second: Singleton  
Vote: 5:0

### **PRCR Comprehensive Plan Update**

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw provided an update on the progress with the PRCR Comprehensive Plan, and Meadowbrook and Yeargan Properties. Remaining tasks will be reviewed in August-December 2019.

Action: No action required

### **Contract for Master Planning of Yeargan Property - First Phase**

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw stated as part of the conceptual planning process for the Yeargan Property, McAdams will conduct a Due Diligence Study in the initial planning Phase A of this project. Fees for these services total \$12,705.00.

Action: Authorize the Town Manager to execute agreement

Motion: Singleton  
Second: Behringer  
Vote: 5:0

### **Mowing Contract for Yeargan Property**

Presenter: Forrest Jones, Public Works Director

Mr. Jones stated the Public Works department contacted three vendors regarding mowing the Yeargan property on an on-call basis. Two responses were received: Barefoot & Associates Inc. at \$2,850.00 per



mow; the low bidder was Carolina Curb Appeal at \$1,105.00 per mow. Davis Landscape declined to submit a quote. Currently there is no budgeted funds for this contract. A budget amendment will be required at a later date.

Action: Approve contract with Carolina Curb Appeal for on-call mowing of the Yeargan property not to exceed \$6,630.00.

Motion: Kennedy  
Second: Singleton  
Vote: 5:0

### **Agreement and Contract - Garner Transit Planning Study**

Presenter: Jeff Triezenberg, Planning Director

Town staff requested Kimley-Horn, a Town approved on-call transportation and design service consultant, to complete a transit study for the Town to investigate circulator route options and potential connections to activity centers including the Amazon Fulfillment Center. The project will also include a study of connections to Wake Transit planned improvements for Bus Rapid Transit (BRT) and Commuter Rail Transit (CRT).

Action: Authorize the Town Manager to execute contract and CAMPO agreement for the Garner Transit Planning Study

Motion: Singleton  
Second: Vance  
Vote: 5:0

### **COMMITTEE REPORTS**

#### **MANAGER REPORTS**

- garner info
- Finance Report
- Available Housing Stock Report
- Bond Ratings: S&P-AAA, Moody's-AA1

#### **ATTORNEY REPORTS**

#### **COUNCIL REPORTS**

Singleton

- Requested staff continue to mow the property at the Rec Center site (on Montague)

Behringer

- Reported mowing started on Hwy 70 yesterday

Kennedy

- Expressed appreciation to the Town and staff for the James R. Stevens Service to Garner award reception.

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

Council unanimously congratulated Council Member Kennedy on receiving the James R. Stevens Service to Garner Award.

**ADJOURNMENT:** 12:01 a.m.

Motion: Kennedy  
Second: Singleton  
Vote: 5:0

DRAFT

**Town of Garner  
Work Session Minutes  
August 27, 2019**

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

**CALL MEETING TO ORDER/ROLL CALL**

Present: Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Buck Kennedy, Council Member Gra Singleton, Council Member Kathy Behringer. Council Member Elmo Vance arrived at 6:30 p.m.

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, David Beck-Finance Director, Jeff Triezenberg-Planning Director, Chris Johnson-Town Engineer, Rick Mercier-Communications Manager, Mari Howe-Downtown Development Manager, Forrest Jones-Public Works Director, Joe Stallings-Economic Development Director, Brandon Zuidema-Police Chief, William E. Anderson-Town Attorney, and Rebecca Schlichter-Deputy Town Clerk

**ADOPTION OF AGENDA**

Mr. Dickerson requested to move discussion of the New Rand Road Utility Relocation Costs to the first item for consideration.

Motion: Marshburn  
Second: Singleton  
Vote: 5:0

**REPORTS/DISCUSSION**

**New Rand Road Utility Relocation Costs**

Presenter: John Hodges, Assistant Town Manager–Development Services

Mr. Hodges reported the New Rand Road Sidewalk Project was bid on August 5, 2019 after receiving a final construction cost estimate that was in line with the project budget. A pre-bid conference was held on August 23, 2019 and bids are scheduled to be opened on September 4, 2019. Utility relocation cost estimates received after the project was advertised exceed project funding.

Since that time, staff received an initial utility relocation cost estimate from Duke Energy in the amount of \$860,000. Staff did not realize the utility relocation costs did not have a separate budget and the utility relocation costs were not in the construction cost estimate being compared to budget. Staff is working with Duke Energy to review the estimate and look for options to reduce the cost.



Motion: Marshburn  
Second: Behringer  
Vote: 5:0

**Revision of Fire Hydrant Parking Ordinance**

Presenter: Brandon Zuidema, Police Chief and Bill Anderson, Town Attorney

Chief Zuidema discussed a proposed addition to the fire hydrant parking ordinance to clarify that it is not a violation to stop or park within 15 feet when done in obedience to a stop sign and when done by police and emergency services.

Action: Council consensus to place on Consent agenda

**Revision Right-of-Way Ordinance and Nuisance**

Presenter: Bill Anderson, Town Attorney

Mr. Anderson discussed a proposed addition to the Town’s right-of-way and nuisance ordinance to clarify that the owner of abutting properties who use a portion of a right-of-way as his or her front or side yard, is exempt from the requirements that a contractor must follow to file an application for a permit to make use of a town right-of-way, and to establish the responsibility of the abutting owner to maintain the right-of-way and median strip, also called a “boulevard strip,” in a safe and clean manner, just as that owner is responsible for maintaining the sidewalk in a safe and clean condition.

Council consensus to place on the Consent agenda

**Housing Stock Memo**

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg reviewed a memo that showed the current housing stock status and the nature and characteristics of Garner's existing housing stock. The presentation included the current tax-assessed value of single-family detached homes and townhomes as well as providing information of the recent sales prices of homes that have not yet been subjected to a mass re-appraisal by the Wake County Revenue Department.

Action: Presentation only

**Frederick Road Funding Source**

Presenter: John Hodges, Assistant Town Manager–Development Services

Mr. Hodges reported the Wake County Public School System (WCPSS) invoiced the Town of Garner for reimbursement of the improvements made to Frederick Road as a part of the Vandora Springs Elementary School project in October, 2018. Staff notified Council of the expense and recommended deferring payment until the warranty period for the work ended. That period has passed, and the reimbursement is due.

Action: Council consensus to pay with fund balance

## MANAGER REPORTS

- Reported the need for a Parks and Recreation Committee Meeting
- Bond sale today – we believe we received a very favorable interest rate of 1.918 from Financial Capital Markets.
- Chamber Annual Summit awards is scheduled for September 26.

## COUNCIL REPORTS

Behringer

- Reported she attended Women’s Equality Day.
- Announced a Women Breaking Barriers event on September 7 @ 10:00 a.m.

Marshburn

- Thanked the Parks and Recreation department for fixing the lighting issue in Lake Benson Park.
- Requested the Police department monitor speeding on Buffalo Road from Aversboro Road to Hwy 50.

Singleton

- Requested the Engineering department be aware of the sloping when doing the sidewalk construction.

Vance

- Commended the Downtown Garner Association as its refreshing to see the development.

Mr. Anderson requested to go into closed session

## CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318-11(a)(5)) “to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate.” and Pursuant to N.C. General Statutes 143-318.11(a)(3)) “to consult with the Town Attorney regarding litigation.”

Motion: Singleton  
Second: Behringer  
Vote: 5:0

**RETURN TO REGULAR SESSION: 9:08 p.m.**

Motion: Singleton  
Second: Marshburn  
Vote: 5:0

Council discussed land acquisition and litigation and took no action.

**ADJOURNMENT: 9:10 p.m.**

Motion: Singleton  
Second: Marshburn  
Vote: 5:0

DRAFT

**The Town of Garner  
Town Council Meeting Minutes  
September 3, 2019**

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

**CALL MEETING TO ORDER/ROLL CALL:**

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Roylance-Asst. Town Manager-Operations, David Beck-Finance Director, Chris Johnson-Town Engineer, David Bamford-Planning Services Manager, Rick Mercier-Communications Manager, Jeff Triezenberg-Planning Director, Joe Stallings-Economic Development Director, Mike McIver-Police Lieutenant, Brandon Zuidema-Police Chief, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Mayor ProTem Ken Marshburn

**INVOCATION:** Mayor ProTem Ken Marshburn

**PETITIONS AND COMMENTS**

Mr. Steve Munie, 2527 Win Road expressed concern regarding additional housing on New Bethel Road and access in/out of the project. Council advised that since this project is currently under staff review, the appropriate time to express his concerns would be when the project comes before Council.

**ADOPTION OF AGENDA**

Motion: Marshburn  
Second: Behringer  
Vote: 5:0

**PRESENTATIONS**

Council Member Kennedy presented Kaye Whaley with a Proclamation recognizing the week of September 17-23, 2019 as Constitution Week.

**CONSENT AGENDA**

Motion: Marshburn  
Second: Singleton  
Vote: 5:0



## **PUBLIC HEARINGS**

Mr. Anderson explained the procedures to be followed during these hearings and asked Council if there were any reasons that would prevent them from making an impartial decision and to disclose any ex parte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Jeff Triezenberg, David Bamford, Chris Johnson, Scott Ragan, and William E. Anderson.

Mayor Williams opened the hearing and asked Mr. Triezenberg to provide the staff report.

### **CUD-Z-19-07 & CUP-SP-19-22, 200 Britt Valley Road**

Presenter: David Bamford, Planning Services Manager

Mr. Bamford stated this request is for conditional use zoning (CUD-Z-19-07) and associated conditional use site plan (CUP-SP-19-22) request submitted by Scott Ragan to rezone 5.50 +/- acres from Single-Family Residential (R-20) to Single-Family Residential conditional use (R-40 C-220), allowing for an accessory structure greater than 50% the size of the home. The site is located at 200 Britt Valley Road and can be further identified as Wake County PIN# 1618-08-5863.

Mayor Williams closed the hearing and called for a motion.

Action: Move the Town Council accept staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and therefore move further that the Town Council adopt Ordinance (2019) 3992 approving rezoning request CUD-Z-19-07 as it is reasonable and in the public interest because it will likely be compatible with the surrounding zoning and allow development that is compatible with the existing uses in the area.

Motion: Kennedy  
Second: Marshburn  
Vote: 5:0

Action: Move the Council accept the staff statements regarding plan consistency in Section VII of the report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-19-22, Britt Valley Road with the three standard conditions to be listed on the permit that will be prepared by staff.

Motion: Kennedy  
Second: Singleton  
Vote: 5:0

### **PD-Z-19-03 & PD-MP-19-03, Oak Park West**

Presenter: Jeff Triezenberg, Planning Director

Planned Residential conditional use rezoning (PD-Z-19-03) with associated master plan (PD-MP-19-03) request submitted by Royal Oaks to rezone 189 +/- acres from Single-Family Residential (R-40) and Single-Family Residential (R-20) to Planned Residential District conditional use (PRD C8) for 580 units (180 townhomes and 400 single-family) of household living space. The site is located on the southwest side of New Bethel Church Road and may be further identified as Wake County PINs# 1619-84-7756, 1619-84-9320, 1619-93-4708, 1619-93-8515, and 1619-81-5817.

Mr. Anderson reminded Council this hearing was recessed at the August 20, 2019 meeting and is a continuation of that meeting. He further asked Council to disclose any exparte communications they may have received since the last meeting. Council responded they had received emails from individuals living in the area expressing their concerns regarding the project.

Mr. Triezenberg responded to questions from Council regarding road improvements occurring on Hwy 540, the impact that will have on Hwy 50 and White Oak Road. He also explained the Town's internal CIP and what that has to do with transportation improvements in that area. . The Town's fee-in-lieu policy is intended to capture the impact of each individual development to the capacity of road in general area. Instead of developers constructing road improvements, a benefit area would be set up. The Town can use those funds towards another improvement such as Ackerman Road which could benefit the entire area.

Rob Bailey, 410 Wayne Drive, Raleigh, stated they are willing to prohibit the number investor sales in the neighborhood covenants; however, if a unit is sold down the road, there are limitations as to what the law will allow.

In addition to those who expressed their concerns at the August 20 meeting, the following also expressed their concerns regarding traffic, density, size of development, traffic infrastructure and hazards, road capacity, lot sizes, housing values, quality of homes, neighborhood safety, more access in/out of neighborhood, units being converted to rentals causing increased crime rates , the effect on schools, and the project not fitting the community.

Alex Lee, 8317 Hebron Church Road  
Tim Holton, 411 Longview Street  
Joseph Hayes, 116 Treybridge Lane  
Charlotte Davis, 230 Pecan Harvest Drive  
Kelly Kennard, 100 Sutton Springs Drive

Mayor Williams closed the hearing and called for a motion.

Action: Move the Council accept staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report as our own; and therefore move further that the Town Council adopt Ordinance (2019) 3991 approving rezoning request PD-Z-19-03 as it is reasonable and in the public interest because it will likely allow adequate buffers and usable open spaces that help to preserve and protect adjacent housing stock, allow the development of an appropriate density of housing in the area in which it is located, and allow for the conservation and preservation of natural features and green space to promote recreation opportunities.

Motion: Marshburn  
Second: Vance  
Vote: 4:0

Council Member Singleton voted nay as he feels the density is too high.

Action: Move the Council accept staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve PD-MP-19-03, Oak Park West, with three standard conditions and nine (9) site-specific conditions to be listed on the permit that will be prepared by staff.

Motion: Kennedy  
Second: Vance  
Vote: 4:0

Council Member Singleton voted nay as he feels the density is too high.

**UDO-19-03, Bar, Nightclub, Tavern in the CBD - Rand Mill Road**

Jeff Triezenberg, Planning Director

Mayor Williams opened the hearing and asked Jeff Triezenberg to provide the staff report.

Mr. Triezenberg stated this Unified Development Ordinance (UDO) text amendment request is sponsored by the Downtown Garner Association to amend the use table and specific use standards to allow bar, nightclub, tavern uses in the Central Business District subject to additional standards and an order from the Town Council granting a special use permit. This amendment would extend the previous amendment to CBD properties along Rand Mill Road.

Mayor Williams closed the hearing and called for a motion.

Action: Refer to Planning Commission

Motion: Kennedy  
Second: Marshburn  
Vote: 5:0

Mr. Anderson asked if Council had any preconceived bias or exparte communications regarding the project. Hearing none, Mayor Williams opened the hearing and asked Jeff Triezenberg to provide the staff report.

**CUD Z-19-08 & CUP-SP-19-15 Garner Depot**

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg stated this is a conditional use rezoning (CUD-Z-19-08) with associated conditional use site plan (CUP-SP-19-15) request submitted by the Town of Garner on behalf of the Garner Area Historical Society to rezone 1.24 +/- acres from Single-family Residential (R-12) to Central Business District (CBD C221) conditional use for a museum. The site is located at the southwest corner of W. Main and Pearl streets and may be further identified as Wake County PIN #(s): 1711-52-8860, 1711-52-8993 and 1711-52-7855.

Action: Move the Town Council accept staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own and in doing so, also amend/correct the Future Land Use Map from High-Density Residential to Town Center and I therefore move that the Town Council adopt Ordinance (2019) 3994 approving rezoning request CUD-Z-19-08 as it is reasonable and in the public interest because it will likely be compatible with the surrounding zoning, provide adequate buffering to adjoining residential uses per the conditions, and allow development that is compatible with the existing uses in the downtown area.

Motion: Behringer  
Second: Marshburn  
Vote: 5:0

Action: Move the Council accept the staff statements regarding plan consistency in Section VII of the report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-19-15, Garner Depot with the three standard conditions and three site specific conditions to be listed on the permit that will be prepared by staff.

Motion: Kennedy  
Second: Vance  
Vote: 5:0

## **NEW/OLD BUSINESS**

### **Historic Depot Relocation Costs**

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson presented two options and their associated cost estimates for relocating the Depot. The first option is the base plan, which includes relocating the Depot and the caboose along with necessary repairs, site prep, adding a loading dock and ramp, and other miscellaneous items that may occur. The second option is an expanded scope which includes the addition of curb and gutter, sidewalk, and parking.

The NC Railroad is amenable to contributing to the project and have asked the Town to submit a comprehensive list of improvements being considered for this project.

Mr. Dickerson stated it is anticipated the Depot will be moved before the end of the year with project completion by Spring.

Action: Approve project cost estimate and budget for option 1; Approve Resolution (2019) 2388

**Amendment to Contract for Audit Accounts for CAFR**

Presenter: David Beck, Finance Director

The Town's audit firm, Mauldin & Jenkins, has agreed to provide additional assistance with preparation of the Town's CAFR for the 2018-19 fiscal year. The assistance is needed in light of the current vacancies within the Finance Department and the recent turnover in the Director's position. The cost to provide the additional services is \$4,000 which takes the total audit price to \$33,500.

Action: Approve amending audit contract

Motion: Singleton

Second: Kennedy

Vote: 5:0

**Update of the the Town's Parade, Picket Line and Demonstrations Ordinance**

Presenter: William E. Anderson, Town Attorney and Brandon Zuidema, Police Chief

Proposed modifications to the Parade, Picket Line and Demonstrations Ordinance providing for a small group exemption.

Action: Consider adopting modifications to Ordinance (2019) 3995

Motion: Singleton

Second: Marshburn

Vote: 5:0

**COMMITTEE REPORTS**

**MANAGER REPORTS**

- garner info
- Wake County continues to monitor storm; not ready to open EOC
- Latin Fest is Sunday at Lake Benson Park at 1:00 p.m.
- Re-naming of Rand Mill Park ceremony is Saturday at 2:00 p.m.
- Bryan Owens performing at GPAC on September 12
- Town Hall pop-up session is on September 10 at 6:00 p.m. at the Bearded Lady
- Barber Shop Rap Session @ Diamond Cutz on Wednesday at 6:30 p.m.

**TTORNEY REPORTS**

**COUNCIL REPORTS**

Behringer

- NC Women Breaking Barriers conference on Saturday at 10:00 a.m.
- Encouraged the public to review the Garner Forward Plan

Marshburn

- Triangle J sponsoring an elected officials' breakfast on October 10 at the Chatham Agriculture and Conference Center; cost is \$10 per person.

Council Members Singleton and Vance had nothing to report

**ADJOURNMENT:** 10:41 p.m.

Motion: Kennedy  
Second: Marshburn  
Vote: 5:0

DRAFT

**Town of Garner  
Town Council Meeting Minutes  
September 17, 2019**

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ronnie Williams

**CALL MEETING TO ORDER/ROLL CALL**

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Royslance-Asst. Town Manager-Operations, David Beck-Finance Director, Chris Johnson-Town Engineer, Brandon Zuidema-Police Chief, Mari Howe-Downtown Development Manager, Rick Mercier-Communications Manager, Brandon Zuidema-Police Chief, Thad Anderson-Associate Attorney, and Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Council Member Gra Singleton

**INVOCATION:** Council Member Gra Singleton

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Council Member Kennedy requested to add a closed session to discuss potential litigation.

Motion: Marshburn  
Second: Vance  
Vote: 5:0

**PRESENTATIONS**

Police Athletic/Activities League Appreciation  
Presenter: Brandon Zuidema, Police Chief and Mike McIver, Lieutenant

Chief Zuidema, Lieutenant McIver and Kathy Taylor recognized the Town of Garner for its support of the Police Athletic/Activities League PAAL program and their mission.

**CONSENT**

**Budget amendment to carry forward purchase orders from FY 2018-19**

Presenter: David Beck, Finance Director

Budget amendment to bring forward purchase orders still open on June 30, 2019. These are items or services ordered prior to June 30 but not received or delivered before this date. This is standard procedure to officially recognize these as part of the FY 2019-20 budget. The funding for these expenditures will come out of assigned fund balance.

Action: Adopt Ordinance (2019) 3996

#### **Revision of Fire Hydrant Ordinance**

Presenter: Brandon Zuidema, Police Chief

Proposed addition to fire hydrant parking ordinance to clarify that it is not a violation to stop or park within 15 feet of a fire hydrant when done in obedience to a stop sign and when done by police and emergency services.

Action: Adopt Ordinance (2019) 3997

#### **Nuisance Abatements**

Presenter: David Beck, Finance Director

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

Action: Adopt Resolution (2019) 2389

#### **Revision of Right-of-Way Ordinance and Nuisance Ordinance**

Presenter: William E. Anderson, Town Attorney

Discussion of proposed addition to the Town's right-of-way ordinance and nuisance ordinance to clarify that the owner of abutting property who uses a portion of a right-of-way as his or her front or side yard, is exempt from the requirement that a contractor must follow to file an application for a permit to make use of a town right-of-way, and to establish the responsibility of the abutting owner to maintain the right-of-way and median strip, also called a "boulevard strip," in a safe and clean manner, just as that owner is responsible for maintaining the sidewalk in a safe and clean condition.

Action: Adopt Ordinance (2019) 4000

#### **Budget ordinance to establish project budget for Depot relocation**

Presenter: David C. Beck, Finance Director

Ordinance to establish the capital budget for the Depot relocation project which was authorized by Council at the September 3, 2019 meeting.

Action: Adopt Ordinance (2019) 3998



Action: Marshburn  
Second: Behringer  
Vote: 5:0

## **PUBLIC HEARINGS**

## **NEW/OLD BUSINESS**

### **New Rand Road and Garner Road Sidewalks - Bid Award**

Presenter: Chris Johnson, Town Engineer

This project consists of approximately 3000 LF of road widening and 1550 LF of sidewalk installation along New Rand Road and East Garner Road. This project included a bid alternate related to the construction of two retaining walls (104 and 106 New Rand Road). The base bid consisted of segmental block retaining walls, while the bid alternate consisted of concrete retaining walls with a brick veneer. The final engineer's estimate was \$2,480,797.89 (Base bid) and \$2,497,397.89 (Alternate bid). The different finishes were provided due to existing retaining wall features located on each property so the new retaining walls could be closely matched for aesthetic purposes along this block. This project is estimated to be complete one year after a notice to proceed is issued.

Action: Award construction bid for the New Rand Road and Garner Road Sidewalks project to Moffat Pipe for \$2,703,697

Motion: Marshburn  
Second: Behringer  
Vote: 5:0

### **UDO-19-03, Bar, Nightclub, Tavern in the CBD - Rand Mill Rd.**

Presenter: John Hodges, Asst. Town Manager-Development Services

This Unified Development Ordinance (UDO) text amendment request sponsored by the Downtown Garner Association to amend the use table and specific use standards to allow bar, nightclub, tavern uses in the Central Business District subject to additional standards and an order from the Town Council granting a special use permit. This amendment would extend the previous amendment to CBD properties along Rand Mill Road.

Action: Adopt Ordinance (2019) 3999 amending the text of the UDO

Motion: Behringer  
Second: Marshburn  
Vote: 5:0

## COMMITTEE REPORTS

### MANAGER REPORTS

- garner info
- Finance Report
- Building & Permit Report
- WRAL marketing campaign kick-off tomorrow
- Public meeting for White Oak/Ackerman/Hebron Church roundabout tomorrow at 6:00 p.m. in the Training Room
- Barber Shop rap session @ Diamond Cutz on Wednesday at 6:30 p.m.
- Pop-Up Market September 29 @ Noon
- Fireman's Day Festival is October 5 at 11:00 a.m.
- Proposed date for day 1 of Council's Retreat is November 26 and anticipated to be part of an extended work session.
- Provided an update on the Rec Center; substantial completion is November 19

### ATTORNEY REPORTS

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

### COUNCIL REPORTS

Council Members Behringer and Singleton had nothing to report.

- Mayor ProTem Marshburn and Council Member Vance reported attending the park re-naming ceremony for Jackie Johns, Sr.

Ms. Howe stated discussions with the consulting firm regarding development of the pad downtown continues. The consultant is in the process of doing background research and a community walkthrough is scheduled for October.

**RETURN TO REGULAR SESSION AND ADJOURNMENT: 8:38 p.m.**

Motion: Kennedy  
Second: Marshburn  
Vote 5:0

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: New Rand Road Contract Amendment No. 8 - Construction Admin and Materials Testing		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
<p><b>Brief Summary:</b></p> <p>Contract amendment with Kimley-Horn and subcontractor (Falcon Engineering) to provide construction administration and materials testing during construction phase of project.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Consider approval of Contract Amendment No. 8 and authorize the Town Manager to execute amendment.</p>		
<p><b>Detailed Notes:</b></p> <p>The Town has negotiated a contract amendment with the design consultant, Kimley-Horn &amp; Associates, to provide construction administration and materials testing (Falcon Engineering) for the 1-year duration of the construction project. The fees associated with this contract amendment is \$80,500 for construction administration and \$45,000 for materials testing for a combined total of \$125,500.</p>		
<p><b>Funding Source:</b></p> <p>Street and Sidewalk Bond Funds</p>		
Cost: \$125,500	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p>          		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TO: Rodney Dickerson, Town Manager  
FROM: Chris Johnson, PE - Town Engineer  
DATE: September 23, 2019  
SUBJECT: New Rand Road/East Garner Road – Contract Amendment No. 8

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The Town of Garner and Kimley-Horn & Associates entered into a contract in December 2011 for the US 70/White Oak Road/Jones Sausage Road and Historic Downtown Area Improvements. More recently, Contract Amendment No. 6 was executed in December 2016 for the design of New Rand Road widening and sidewalk improvements and Contract Amendment No. 7 was executed in March 2018 for the design of sidewalk improvements along East Garner Road and the NCRR pedestrian crossing near the New Rand Road intersection. The design of both projects was recently completed, and the construction contract was awarded to Moffat Pipe Company at the September 17<sup>th</sup> Council meeting.

As discussed at the September 17<sup>th</sup> Council meeting, the construction contract is anticipated to begin in November 2019, therefore, a contract amendment is necessary to cover the costs associated with construction administration and materials testing for the duration of the 1-year construction contract. Kimley Horn & Associates and their materials testing subcontractor, Falcon Engineering, have provided the Town with a proposal for these services at a negotiated fee of \$125,500. Staff recommends approval of the proposal as submitted.

**RECOMMENDATION**

Staff recommends approval of Contract Amendment No. 8 for \$125,500 and that Council authorize the Town Manager to execute the amendment with Kimley-Horn & Associates.

Attachment: Contract Amendment No. 8

## CONTRACT AMENDMENT No. 8

This Contract Amendment (the "Amendment") dated the 20 day of September 2019 by and between Kimley-Horn and Associates, Inc., (the "Company"), and the Town of Garner (the "Owner"), collectively the "Parties".

WHEREAS, the Parties entered into a contract dated December 21, 2011; and

WHEREAS, the Parties wish to amend the original contract;

Now, therefore, it is agreed by and between the parties for this Contract Amendment No. 8 to be implemented as set forth below and attached exhibits.

### 1. SCOPE OF WORK

#### **Project Understanding**

The New Rand Road design contract included provisions for construction phase services to be determined at later date. With construction anticipated to begin later this summer, this amendment is for the Company (KH) to provide construction administration services. The anticipated construction schedule will be 365 calendar days. Company assumes that the total duration of their services will be a total of 58 weeks, which includes startup and project closeout. Inspection and testing services will be performed by others.

KH will provide the services specifically set forth below.

#### **Task 1 – Construction Administration**

*Pre-Construction Conference.* Company will conduct a Pre-Construction Conference prior to commencement of construction activity.

*Bi-Weekly Meetings.* Company will administer bi-weekly with the contractor, Town staff, NCDOT and other stakeholders. Company will compile meeting minutes and distribute to all stakeholders. Company assumes up to 24 bi-weekly meetings.

*Visits to Site and Observation of Construction.* Company will make visits as directed by Client in order to observe the progress of the work. Such observations will not be exhaustive or extend to every aspect of Contractor's work. Observations will to be limited to spot checking, selective measurement, and similar methods of general observation. Based on information obtained during site visits, Company will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and Company will keep Client informed of the general progress of the work. Up to 3 site visits are included in the scope of services.

Company will not supervise, direct, or have control over Contractor's work, nor shall Company have authority to stop the Work or have responsibility for the means, methods, techniques, equipment choice and usage, schedules, or procedures of construction selected by Contractor, for safety programs incident to Contractor's work, or for any failure of Contractor to comply with any laws. Company does not guarantee the performance of any Contractor and has no responsibility for Contractor's failure to perform its work in accordance with the Contract Documents.

*Recommendations with Respect to Defective Work.* Company will recommend to Client that Contractor's work be disapproved and rejected while it is in progress if, on the basis of its observations, Company believes that such work will not produce a completed Project that generally conforms to the Contract Documents.

*Clarifications and Interpretations.* Company will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents. Any orders authorizing variations from the Contract Documents will be made by Client.

*Change Orders.* Company may recommend Change Orders to the Client, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

*Shop Drawings and Samples.* Company will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, schedules, or procedures of construction or to related safety programs.

*Substitutes and "or-equal."* Company will evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents.

*Disagreements between Client and Contractor.* Company will, if requested by Client, render written decision on all claims of Client and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents. In rendering decisions, Company shall be fair and not show partiality to Client or Contractor and shall not be liable in connection with any decision rendered in good faith.

*Utility Coordination.* Company will help coordinate with private utility owners to ensure they perform their relocations in a timely manner. The Company however does not have

any control over the private utility companies work or scheduling processes. This work will include a Pre-Construction Meeting with the utility companies as well as periodic coordination throughout the duration of the project.

*Miscellaneous Coordination with Town and CORPUD.* Company will maintain coordination with the Town and City Raleigh Public Utilities Department (CORPUD) throughout the project. Engineer will maintain coordination by means of email, letters, transmittals, and phone calls throughout the expected project duration.

*Applications for Payment.* Based on its observations and on review of applications for payment and supporting documentation (including quantities provided by the inspector), Company will determine amounts that Company recommends Contractor be paid. Such recommendations will be based on Company's knowledge, information and belief, and will state whether in Company's opinion Contractor's work has progressed to the point indicated, subject to any qualifications stated in the recommendation. For unit price work, Company's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests. Company's recommendations will not be a representation that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work, or involved detailed inspections.

*Substantial Completion.* Company will, after notice from Contractor that it considers the Work ready for its intended use, in company with Client and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list.

*Final Notice of Acceptability of the Work.* Company will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Company may recommend final payment to Contractor. Accompanying the recommendation for final payment, Company shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of Company's knowledge, information, and belief based on the extent of its services and based upon information provided to Company.

*Limitation of Responsibilities.* Company shall not be responsible for the acts or omissions of any Construction Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. This does not apply to Company's Sub-Contractors. Company shall not have the authority or responsibility to stop the work of any Contractor.

## **Task 2 – Construction Materials Testing (CMT) Services**

See the attachment from Falcon Engineering for scope of services provided for CMT Services.

### **2. TIME OF PERFORMANCE**

It is assumed that the project construction schedule will be 365 days from the Notice to Proceed of construction contract, plus startup and closeout.

### **3. COST OF WORK**

For the Additional Services set forth above, Client shall pay Company the following additional compensation:

Company will perform the services in Task 1, and Task 2, and expenses, for the total lump sum fee below of \$125,500.

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

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



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

COMPANY

TOWN OF GARNER

Signed:

Signed:

Charles A. Nuckols Jr

\_\_\_\_\_

Name: CHARLES A. NUCKOLS JR

Rodney Dickerson

Title: Sr. Vice President

Town Manager

Witness:

Witness:

Dan Robinson

\_\_\_\_\_

Name: Dan Robinson

Stella Gibson

Title: Vice President

Town Clerk

August 27, 2019

Mr. Chuck Nuckols, PE

[Chuck.Nuckols@kimley-horn.com](mailto:Chuck.Nuckols@kimley-horn.com)

Kimley-Horn

421 Fayetteville Street, Suite 600

Raleigh, NC 27601

Re: **Proposal for Construction Materials Testing (CMT) Services**

New Rand Road

Garner, NC

Falcon Proposal No. TP-19-032

Dear Mr. Nuckols:

Falcon Engineering, Inc. (Falcon) is pleased to present this proposal to provide Construction Materials Testing (CMT) services in support of the above-mentioned project. The following proposal presents our understanding of the project, our proposed scope of services, and our proposed fee structure.

### **PROJECT DESCRIPTION**

It is our understanding the following applies to the project:

- We understand the Town of Garner is the project owner and is seeking CMT services for the construction of improvements and modifications to New Rand Road from approximately 400-feet south of US Highway 70 to the intersection of East Garner Road.
- Kimley-Horn is the Project Engineer of Record and is facilitating procurement of CMT services for the construction of the project which includes storm drain installation, curb and gutter, realignment of turn lanes, pavement patching and pavement overlay;
- Construction Drawings Referencing State Project No: 012127010, dated August 1, 2019;
- Planned construction duration is one (1) year.

Should any of the information presented above be inaccurate, we request that we be notified so that we may review the new information and make any necessary changes to the scope and fee presented herein.

### **SCOPE OF SERVICES**

We understand our services will be required on an on-call, part time basis, in accordance with NCDOT minimum requirements. We anticipate the following scope items:

- **Concrete**
  - Sampling and testing of concrete placed in the field, every 100 cumulative cubic yards,
  - Curing and compressive strength testing of concrete cylinder samples,
- **Soils**
  - Compaction testing of trench backfill, every 1000 linear feet, each lift
  - Laboratory testing of soil samples for use as backfill,

- **Aggregates**
  - Compaction testing of aggregate base courses,
- **Asphalt Paving**
  - Measuring asphalt pavement thickness of drilled cores,
  - Laboratory density testing of drilled asphalt cores,
  - Onsite nuclear gauge density testing of asphalt during paving operations,

Any required laboratory testing of construction materials for the project will be performed as needed within our nationally accredited Cary materials laboratory, by certified Falcon laboratory technicians.

### **EXCLUSIONS**

The following items are specifically excluded from this scope and fee estimate:

- Retaining walls,
- Asphalt coring or patching of asphalt cores,
- Concrete chase meter testing of each truck,
- Participation in site meetings.

### **PROJECT MANAGEMENT & REPORTING**

Our project organization will include laboratory personnel and CMT field personnel (as needed) working under the supervision of our assigned Project Manager. Our Project Manager, with direction and assistance from one of our Senior Registered Engineers serving as the Project Executive will oversee the administrative functions for the project, including assignment of appropriate field personnel, review of field / laboratory testing data and inspection results, review and follow-through on notable non-conforming items, and communication with members of the project team. Throughout the project, Falcon's Project Manager will maintain active engagement with you and the design / construction teams to ensure delivery of a quality product that meets your needs. We strongly believe that a successful project is the result of a partnership between all key parties.

- We will provide electronic copies of each daily report and alert you, and the design / construction team, to observed non-conforming items in PDF format via electronic mail.
- We will provide laboratory test results for tested construction materials via electronic mail in PDF format, as laboratory tests are completed.

### **SCHEDULING OF FALCON FIELD PERSONNEL**

Falcon requires advance notice to formally request the on-site presence and services of our Field Personnel. To avoid confusion and inefficiencies, we strongly advise that only one (1) responsible party (typically the CMs or GCs Superintendent) be responsible for scheduling of Falcon Field Personnel. To request and schedule Falcon Field Personnel for testing and inspection services, please review the attached memo, and follow the instructions. On this project, non-engineer Falcon field personnel are contracted to perform tests, make observations of work performed, provide test results, and indicate noted discrepancies from the project plans and specifications. If you feel that site conditions warrant a Registered Engineer's opinion or recommendation, please contact us to schedule services using the same guidelines mentioned above.

### **COST ESTIMATE**

Our field services will be provided on a time-and-materials basis, portal-to-portal from our Cary office, as requested by Town staff including report preparation time. We will complete the scope of services outlined herein on an on-call, time-and-materials basis, in accordance with the attached 2019 Unit Rate schedule. Based on our past experience on similar projects, a typical site visit includes approximately 5 hours of field-service man hours during which multiple

tests would be run, either for soil, concrete or asphalt testing. Including project management time, scheduling, and administrative functions, the cost for each visit would be on the order of \$600. We understand the Town has budgeted a total of approximately \$45,000 for these services. We will not exceed this cost without prior client authorization and will closely monitor this budget over the course of the project duration.

### **COST FACTORS**

The cost of our services correlates to the duration and sequencing of the construction schedule. Factors that commonly have an adverse effect on the cost of CMT services include:

- Inclement weather
- Overtime work by our field staff
- Additional site visits to re-test non-conforming materials or workmanship
- Additional scope not outlined herein
- Regular, required attendance at project meetings

These factors and potential additional services, not included above, and other approved out-of-scope services which may be requested of Falcon by the contractor, engineer of record, developer, owner, or required by project conditions not yet revealed, will also be invoiced on a time-and-materials basis, in accordance with the attached unit rate schedule, as such additional services occur throughout the duration of the project. Such services include but are not limited to the following:

- Obtaining drilled concrete cores and testing for compressive strength resulting from poor workmanship, weather events, low compressive strength of cylinders, etc. as requested by the parties above.
- Re-inspection or retesting of work not inspected due to contractor not adhering to the scheduling policy.
- Hard (paper) copies of any report deliverables.

### **AUTHORIZATION**

If this proposal is acceptable, please issue a purchase order in accordance with our Master Services Agreement. We appreciate the opportunity to provide our services and look forward to working with you on this and many other future projects. If you have any questions or desire additional information about Falcon and the many ways in which we may benefit you, please contact us at 919.871.0800.

Sincerely,

**Falcon Engineering, Inc.**



Kevin Abernethy, PE  
Project Manager



Patrick Clark  
Construction Services Manager

Enclosures:

- Unit Rate Schedule
- Scheduling Guidelines for Falcon Engineering Field-Personnel

## 2019 UNIT RATE SCHEDULE

### FALCON ENGINEERING, INC.

#### **PROFESSIONAL SERVICES**

Project Administrator, per hour .....	\$70.00
Project Manager, per hour .....	\$150.00
Project Executive, per hour .....	\$195.00
CADD Technician, per hour .....	\$80.00
Staff Professional, per hour .....	\$100.00
Senior Professional, per hour .....	\$125.00
Registered Engineer/Geologist, per hour .....	\$155.00
Senior Registered Engineer/Geologist, per hour .....	\$185.00
Mileage, per mile .....	\$0.60
Subcontracted Professional Services, Overnight Living Expenses & Commercial Travel .....	Cost +15%

#### **FIELD SERVICES**

Engineering Technician, per hour .....	\$75.00
Construction Inspector, per hour .....	\$80.00
Structural Steel Inspector/Technician, per hour .....	\$90.00
Field Staff Professional, per hour .....	\$100.00
Field Senior Professional, per hour .....	\$125.00
Overtime (OT); work over 8 hours/day, over 40 hours/week, nights (6pm-6am), weekends & national holidays .....	Regular Rate x 1.5

**Note:** There is a 4-hour minimum charge for all hourly field services.

Hourly field services are provided portal to portal from our Raleigh office, including report preparation time.

Vehicle & Standard Equipment, per day (for sites within 30 mile radius of Falcon office) .....	\$50.00
Utility Terrain Vehicle (UTV), per week .....	\$350.00
GPS Unit (Handheld), per day .....	\$50.00
Kessler DCP, per day .....	\$150.00
Equipment for Coring Asphalt and Concrete, per day .....	\$400.00
On-Site Concrete Curing Box, per week .....	\$50.00
Nuclear Density Gauge, per day .....	\$50.00
NDT Steel Testing Equipment (UT/MT/PT), per day .....	\$150.00
Floor Flatness Profiler, per day .....	\$150.00
Per Diem, per person, per day (for out-of-town work that requires overnight stays) .....	\$150.00
Subcontracted Field Services, Direct Expenses & Equipment Rentals .....	Cost + 15%

**Note:** Other field services can be provided. Availability of those services and applicable unit rates can be provided upon request.

#### **LABORATORY SERVICES**

Moisture Content, each .....	\$15.00
Sieve Analysis with Wash 200, each .....	\$100.00
Atterberg Limits Test, each .....	\$100.00
Organic Content of Soil (LOI), each .....	\$50.00
Standard Proctor Compaction, each .....	\$185.00
Modified Proctor Compaction, each .....	\$185.00
Soaked CBR, per point .....	\$200.00
Swell Test, each .....	\$150.00
Compressive Strength Testing of 4"x8" Concrete Cylinders, each .....	\$15.00
Compressive Strength Testing of 6"x12" Concrete Cylinders, each .....	\$45.00
Compressive Strength Testing of Concrete Core Samples, each (6" diameter or less) .....	\$100.00
Compressive Strength Testing of 2"x2" Cubes, each .....	\$30.00
Compressive Strength Testing of 3"x3"x6" Masonry Grout Samples, each .....	\$50.00
Compressive Strength Testing of 2" Rock Core, each .....	\$180.00
Asphalt Bulk Specific Gravity of Core Samples, each .....	\$50.00
SFRM Density, each .....	\$60.00
Subcontracted Laboratory Services .....	Cost +15%

**Note:** Other laboratory services can be provided. Availability of those services and applicable unit rates can be provided upon request.

EFFECTIVE THROUGH DECEMBER 31, 2019

Unit rates are subject to change after the effective date expires and annually thereafter.

# Scheduling Guidelines for Falcon Engineering Field-Personnel

Falcon Engineering requires advanced notice to formally request the on-site presence and services of Falcon Engineering Field Personnel. To request and schedule Falcon Engineering Field Personnel for testing and inspection services, please contact the representative below:

<b>Mr. Patrick Clark</b> CMT Scheduling Coordinator	
919-900-0823	pclark@falconengineers.com

<b>Monday-Friday work requests</b>
<ul style="list-style-type: none"><li>• Submit requests <b>by 1:00 PM</b> the day before services are needed</li></ul>

<b>Weekend/Night work requests</b>
<ul style="list-style-type: none"><li>• Submit requests <b>at least 48 hours</b> before services are needed.</li></ul>

Any request made without using the guidelines mentioned above will not be guaranteed inspection and/or testing services. Please note that any work performed that requires proper inspections and/or testing may be deemed unacceptable by the Owner, Structural Engineer, and/or Architect if performed in the absence of Falcon Engineering Field Personnel.

Falcon Engineering Field Personnel are contracted to perform tests, make observations of work performed, provide test results, and indicate noted discrepancies from the project plans or specifications. If you feel that site conditions warrant a Registered Engineer's opinion or recommendation, please contact us to schedule services using the guidelines mentioned above.

**Thank you for your cooperation.**

**We look forward to hearing from you!**

<b>KH WORKHOUR ESTIMATE-Amendment 8</b>	<b>Senior Engineer</b>	<b>Project Manager</b>	<b>Engineer</b>	<b>Admin</b>	<b>TOTAL HOURS</b>	<b>LABOR COSTS</b>
Pre-Con Meeting	2	2	4	2	10	\$ 1,760
Bi-Weekly Meetings (22 meetings)		18	48		66	\$ 11,790
Engineers Bi-Weekly Summary		8	18	8	34	\$ 5,410
Site Visits and Observation (3 visites for 3 hrs per visit )		9	9		18	\$ 3,420
Recommendations with Respect to Defective Work	1	2	2		5	\$ 1,005
Property Owner Meetings (2)		9	9		18	\$ 3,420
Review Requests for Information (15 RFI's), Clarifications	1	12	24	4	41	\$ 7,145
Review submittals, shop drawings, and samples	1	8	32	4	45	\$ 7,605
Review Payment Applications and Project Schedule (12)		12	36	4	52	\$ 8,880
Substitute and "or equals"		6			6	\$ 1,290
Disagreements between Client and Contractor	2	4			6	\$ 1,350
Maintain Project Contact Lists			2		2	\$ 330
Substantial Completion		4	4		8	\$ 1,520
Project Closeout	2	8	24		34	\$ 6,170
Final Notice of Acceptability of the work		2			2	\$ 430
Utility Coordination During Construction		12	40		52	\$ 9,180
Miscellaneous Coordination with Town and CORPUD	1	6	8	2	17	\$ 3,035
<b>Totals</b>	<b>11</b>	<b>128</b>	<b>268</b>	<b>26</b>	<b>433</b>	<b>\$ 76,775</b>
Expenses						\$ 3,700
<b>Total Fee</b>						<b>\$ 80,475</b>
Hourly Rate	\$ 245.00	\$ 215.00	\$ 165.00	\$ 90.00		

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Spring Drive Sidewalks Contract Amendment - Materials Testing		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, PE		
Presenter: Chris Johnson, PE		
Brief Summary: Contract Amendment to cover materials testing services on the Spring Drive Sidewalks construction project.		
Recommended Motion and/or Requested Action: Consider approval of Contract Amendment and authorize the Town Manager to execute amendment.		
Detailed Notes: The Town has negotiated a contract amendment with the design consultant, Ramey Kemp & Associates, to provide materials testing (Stewart Engineering) for the duration of the construction project. The fee associated with this contract amendment is \$24,127.		
Funding Source: Street and Sidewalk Bond Funds		
Cost: \$24,127	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



TO: Rodney Dickerson, Town Manager  
FROM: Chris Johnson, PE - Town Engineer  
DATE: September 27, 2019  
SUBJECT: Spring Drive Sidewalks – Contract Amendment for Materials Testing

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The Town of Garner and Ramey Kemp & Associates entered into a contract in November 2016 for the Spring Drive Sidewalks improvement project. Three previous contract amendments were executed in January 2017, October 2017, and July 2018 respectively. The design of this project was recently completed, and the construction contract was awarded to Browe Construction at the September 3<sup>rd</sup> Council meeting.

The construction contract is anticipated to begin in October 2019, therefore, a contract amendment is necessary to cover the costs associated with materials testing for the duration of the construction contract. Ramey Kemp & Associates has subcontracted Stewart Engineering to provide materials testing services and have provided the Town with a proposal for these services at a negotiated fee of \$24,126.30. Staff recommends approval of the proposal as submitted.

**RECOMMENDATION**

Staff recommends approval of Contract Amendment for \$24,126.30 and that Council authorize the Town Manager to execute the amendment with Ramey-Kemp & Associates.

Attachment: Contract Amendment

## CONTRACT AMENDMENT No. 4

This Contract Amendment (the "Amendment") dated the \_\_\_\_\_ day of \_\_\_\_\_, 2019 by and between **Ramey Kemp & Associates, Inc.** (the "Company"), and the Town of Garner (the "Owner"), collectively the "Parties".

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

WHEREAS, the Parties entered into Contract Amendment 1 dated January 20, 2017, Contract Amendment 2 dated October 6, 2017, and Contract Amendment 3 dated July 10, 2018; and

WHEREAS, the Parties wish to amend the original contract;

Now, therefore, it is agreed by and between the parties for this Contract Amendment No. 4 to be implemented as set forth below and attached exhibits.

### 1. SCOPE OF WORK

Testing and Materials during construction to be provided by Stewart Engineering. Refer to Attachment A for the testing and materials scope.

### 2. TIME OF PERFORMANCE

Time of completion is assumed to be 210 days. Refer to Attachment A.

### 3. COST OF WORK

Ramey Kemp & Associates – 10% of Stewart Fee – Not to Exceed \$2,193.30

Stewart – Time and Materials -Not to Exceed \$21,933.00

**Total Cost of Work = \$24,126.30**

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

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

COMPANY

TOWN OF GARNER

Signed:

Signed:

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Rodney Dickerson

Title: \_\_\_\_\_

Town Manager

Witness:

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Witness:

\_\_\_\_\_

Stella Gibson

Town Clerk



Date: 9/26/2019

**Project Summary**

Construction Schedule: 210 days (30 weeks)

Type of Work: Grading  
 Asphalt Paving  
 Concrete Curb and Sidewalk

Length of Project: 0.736 mi.  
 County: Wake

**Man-hour & Fee Estimates**

Field Services	Rate	Weeks	Week	Visit	Hours	Total
Project Manager	\$94.97	30	1	1	30.0	\$2,849.00
Technician	\$68.87	30	2	4	240.0	\$16,529.00
Travel (18 miles RT@\$0.56/mi)	\$10.08	30	2			\$605.00
Laboratory Testing	<i>see below</i>					\$1,950.00
<b>Grand Total</b>						<b>\$21,933.00</b>

Laboratory Services	Qty	Rate	Unit	Total
Soil Classification(AASHTO M145)	4	\$ 150.00	each	\$600.00
Concrete Compressive Strength	30	\$ 15.00	each	\$450.00
Asphalt Core Density	12	\$ 75.00	each	\$900.00
Laboratory Subtotal				\$1,950.00

**Scope Summary**

Stewart will provide materials testing per 2018 NCDOT Standards and Specifications including:

Periodically test soil and/or aggregate density to verify proper compaction. This will apply to pipe backfill, embankment, and subgrade.

Observe concrete placement. We will test fresh concrete for air content, slump, and temperature and cast cylinders for laboratory compressive strength testing.

Collect asphalt cores for laboratory testing to verify proper compaction and thickness.

Laboratory compressive strength testing of concrete test specimen (cylinders).

*If a change to the scope of services above is necessary, please alert us as soon as possible so that the appropriate adjustments can be made to this fee estimate.*

**Clarifications and Exclusions**

Project contract time is assumed to be 210 calendar days from the issuance of Notice to Proceed.

Contractor will schedule testing at least 24 hours in advance.

Attendance at project meetings is not required.

Technician time is assumed to be approximately 4 hours per visit with no work on weekend, holidays, or night hours. Full time observation is not required or included in this scope.

Technician overtime is not included in the Fee Estimate.

To accept this proposal, please sign below and return.

\_\_\_\_\_  
 Signature Title Date:



## CONDITIONS OF AGREEMENT

### 1.0 Payments on Account

- 1.1 Invoices for Stewart's services shall be submitted, at Stewart's option, either upon completion of any phase of service or on a monthly basis. Invoices shall be payable when rendered and shall be considered PAST DUE if not paid within 30 days after the invoice date.
- 1.2 Any inquiry or questions concerning the substance or content of an invoice shall be made to Stewart in writing within 10 days of receipt of the invoice. A failure to notify Stewart within this period shall constitute an acknowledgment that the service has been provided and is correct.

### 2.0 Late Payments

- 2.1 A service charge will be charged at the rate of 1.5% (18% annual percentage rate) per month or the maximum allowable by law on the then outstanding balance of PAST DUE accounts. In the event any portion of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.
- 2.2 In the event that any portion of an account remains unpaid 30 days after billing, Stewart may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, suspend or terminate the performance of all services.

### 3.0 Insurance

- 3.1 Stewart shall secure and endeavor to maintain professional liability insurance and commercial general liability insurance to protect Stewart from claims for negligence, bodily injury, death or property damage which may arise out of the performance of Stewart's services under this Agreement, and from claims under the Worker's Compensation Acts. Stewart shall, if requested in writing, issue certificates confirming such insurance to the Client.

### 4.0 Standard of Care

- 4.1 The standard of care for all professional services performed or furnished by Stewart under this Agreement will be the skill and care used by members of Stewart's profession practicing under similar circumstances at the same time and in the same locality. Stewart makes no warranties, express or implied, under this Agreement or otherwise, in connection with Stewart's services.

### 5.0 Indemnifications

- 5.1 The Client shall indemnify and hold harmless Stewart and all of its personnel, from and against any and all claims, damages, losses and expenses (including reasonable attorney's fees) to the extent they are caused by the negligent act, error, or omissions by the Client in performance of its services under this Agreement, subject to the provisions in the paragraph below on Risk Allocation.
- 5.2 Stewart shall indemnify and hold harmless the Client and its personnel from and against any and all claims, damages, losses, and expenses (including reasonable attorney's fees) to the extent they are caused by the negligent act, error, or omissions by Stewart in performance of its services under this Agreement, subject to the provisions in the paragraph below on Risk Allocation.
- 5.3 The Client shall indemnify & hold harmless Stewart and all of its personnel from and against all claims, damages, losses, and expenses (including attorney's fees and defense costs) arising from the presence, discharge, release, or escape of asbestos, hazardous waste, or other contaminants at the site.
- 5.4 Sub-Consultant(s) shall indemnify & hold harmless Consultant & Client from and against all claims, losses, damages, and expenses (including attorney's fees and defense costs) to the extent such claims, losses, damages, or expenses are caused by any negligent act, error, or omission of Sub-Consultant or any person or organization for whom the Sub-Consultant is legally liable.

### 6.0 Risk Allocation

- 6.1 6.1 In recognition of the relative risks, rewards and benefits of the Project to both the Client and Stewart, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, Stewart's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses rising out of this Agreement, from any cause or causes, shall not exceed the amount of \$50,000. Such causes include, but are not limited to, Stewart's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

### 7.0 Reuse of Documents

- 7.1 All documents including calculations, computer files, drawings, and specifications prepared by Stewart pursuant to this Agreement are instruments of professional service intended for the one-time use in construction of this project. They are and shall remain the property of Stewart. Any reuse without written approval or adaptation by Stewart is prohibited.

### 8.0 Opinion of Probable Construction Costs

- 8.1 Stewart's opinion of probable construction costs, if rendered as a service under this Agreement, is based on assumed labor costs and approximate quantities of material and equipment, and therefore is of a conditional character. Stewart cannot guarantee the cost of work to be performed by others since market or bidding conditions can change at any time and changes in the scope or quality of the Project may affect estimates.

### 9.0 Construction Phase Services

- 9.1 If this Agreement provides for any construction phase services by Stewart, it is understood that The contractor, not Stewart, is responsible for the construction of the project, and that Stewart is not responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement; or for construction means, methods, techniques, sequences and procedures employed by The contractor.

### 10.0 Mediation

- 10.1 Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to binding dispute resolution. If such matter relates to or is the subject of a lien arising out of the Stewart's services, Stewart may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by binding dispute resolution.
- 10.2 The Client and Stewart shall endeavor to resolve claims, disputes and other matters in question between them by mediation which, unless the parties mutually agree otherwise, shall be in accordance with the North Carolina Rules Implementing Statewide Mediated Settlement Conferences in Superior Court Civil Actions currently in effect and administered by counsel for the parties. A request for mediation shall be made in writing and delivered to the other party to the Agreement. The request may be made concurrently with the filing of a complaint or other appropriate demand for binding dispute resolution but, in such event, mediation shall proceed in advance of binding dispute resolution proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order. If an arbitration proceeding is stayed pursuant to this section, the parties may nonetheless proceed to the selection of the arbitrator(s) and agree upon a schedule for later proceedings.
- 10.3 The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in Raleigh, North Carolina, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.
- 10.4 If the parties do not resolve a dispute through mediation pursuant to this Section 10.0, the method of binding dispute resolution shall be the following:
  - [ << >> ] Arbitration pursuant to Section 10.3 of this Agreement
  - [ << >> ] Litigation in a court of competent jurisdiction
  - [ << >> ] Other (Specify)

### 11.0 Termination of Contract

- 11.1 Client may terminate this Agreement with seven days prior written notice to Stewart for convenience or cause. Stewart may terminate this Agreement for cause with seven days prior written notice to Client. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until Stewart has been paid in full all amounts due for services, expenses and other related charges.

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Stop Conditions - Oak Park Phase 3A		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, PE		
Presenter: Chris Johnson, PE		
<p><b>Brief Summary:</b></p> <p>The Engineering Department is seeking approval of a Stop Condition in Oak Park Subdivision Phase 3A on Edmer Lane at the intersection with Laporte Path to serve as a basic traffic control measure.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Consider adopting Ordinance (2019) 4008</p>		
<p><b>Detailed Notes:</b></p> <p>See attached memo, map, and ordinance.</p>		
<p><b>Funding Source:</b></p> <p>N/A</p>		
Cost: N/A	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p>          		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TO: Rodney Dickerson, Town Manager  
FROM: Chris Johnson, PE - Town Engineer  
DATE: September 23, 2019  
SUBJECT: Stop Conditions within Oak Park Phase 3A

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The Engineering Department is recommending the following street intersections for stop conditions:

	<u>Stop Condition</u>	<u>Through Street</u>
1	Edmer Lane	Laporte Path

These stop conditions will serve as basic traffic control measures. The Engineering Department recommends amending the Town Code of Ordinances to include these stop conditions. Please let me know if there are any questions.

Attachment: Oak Park Phase 3A Map

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PLANNING

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAN ARE WITHIN THE TOWN OF GARNER'S PLANNING JURISDICTION...

JEFFREY S. FRIEZEBOERG PLANNING DIRECTOR (PRINT) DATE 5-6-19

PLANNING DIRECTOR (SIGNATURE) CERTIFICATE OF OWNERSHIP AND DEDICATION

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE PROPERTY DESCRIBED HEREON WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF GARNER...

4-30-19 DATE DOUGLAS BALL OAK PARK DEVELOPERS W.C. OWNER(S) (PRINT)

NOTARY PUBLIC CERTIFICATION Stacey S. Kimmy NOTARY PUBLIC

DO HEREBY CERTIFY THAT Douglas Ball PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING INSTRUMENT.

WITNESS MY HAND AND SEAL THIS 30 DAY OF APRIL 2019

NOTARY PUBLIC Stacey S. Kimmy

MY COMMISSION EXPIRES SURVEYOR CERTIFICATION

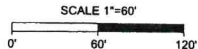
I, TERRY L. WESTENDORF, PLS. HEREBY CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION...

THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY HAND AND SEAL THIS 26TH DAY OF APRIL, A.D., 2019

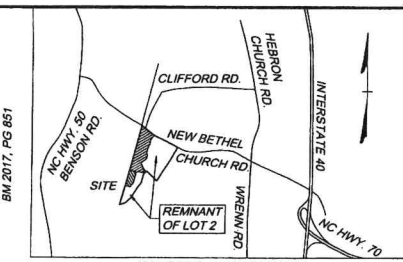
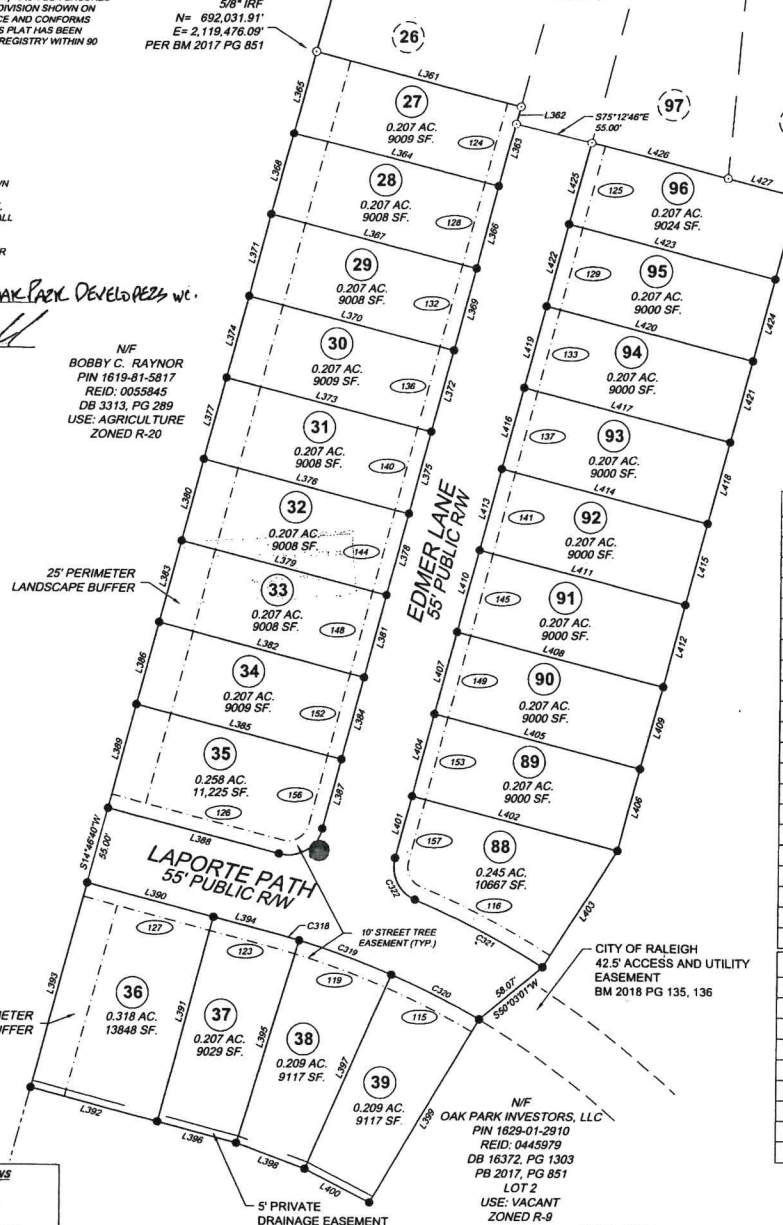
PROFESSIONAL LAND SURVEYOR TERRY L. WESTENDORF SEAL 3232

- NOTES: 1. NO TITLE REPORT FURNISHED. 2. AREAS COMPUTED BY COORDINATE METHOD. 3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.



LEGEND and ABBREVIATIONS table with symbols for property lines, easements, and lot numbers.

OAK PARK - PHASE 3A\* BM 2018, PG 135



OAK PARK SUBDIVISION PHASE 3A NUMBER OF LOTS: 22 AREA IN LOTS: 207,094 SQ. FT. / 4.754 AC.

LOT SETBACKS table with columns for FRONT, SIDE, REAR, CORNER SIDE, and ZONING.

LINE TABLE with columns for LINE, BEARING, LENGTH, and multiple columns for lot boundaries.

LINE TABLE with columns for LINE, BEARING, LENGTH.

CURVE TABLE with columns for CURVE, RADIUS, LENGTH, CHORD BEARING, CHORD.

REVIEW OFFICER CERTIFICATE David Bamford REVIEW OFFICER FOR THE ABOVE COUNTY AND STATE...

OAK PARK INVESTORS, LLC PIN 1629-01-2910 REID: 0445979 DB 16372, PG 1303 PB 2017, PG 851

WAKE COUNTY, NC 147 CHARLES P. GILLIHM REGISTERED OF DEEDS PRESENTED & RECORDED ON 05/09/2019 14:28:31

BOOK: BH2019 PAGE: 00783

OWNER INFORMATION OAK PARK INVESTORS, LLC 1401 AVERSBO ROAD, SUITE 206 GARNER, NC 27529 DB 16372, PG 1303

FINAL SUBDIVISION PLAT OAK PARK - PHASE 3A OAK PARK INVESTORS, LLC TOWN OF GARNER, NC

ST MARY'S TOWNSHIP WAKE COUNTY DATE: APRIL 10, 2019 SCALE: 1"=60' SHEET 1 OF 1 J.N.: 37500 DRAWN BY: TW CHECK BY: MAP CHECKED BY: TW

THIS DRAWING PREPARED AT THE WAKE COUNTY OFFICE... SITE Development Residential Infrastructure Technology

TIMMONS GROUP logo and vertical text



ORDINANCE NO. (2019) 4008

AN ORDINANCE AMENDING SECTION 10-42b OF THE  
CODE OF ORDINANCES REGARDING STOP CONDITIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GARNER, NORTH  
CAROLINA:

Section One. That Section 10-42b be and is hereby amended by adding the following stop  
intersections:

STOP CONDITION

THROUGH CONDITION

Edmer Lane

Laporte Path

Section Two. That the above streets will be included alphabetically in the codification of  
this section.

Duly adopted this 7<sup>h</sup> day of October, 2019.

---

Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
Stella L. Gibson, Town Clerk

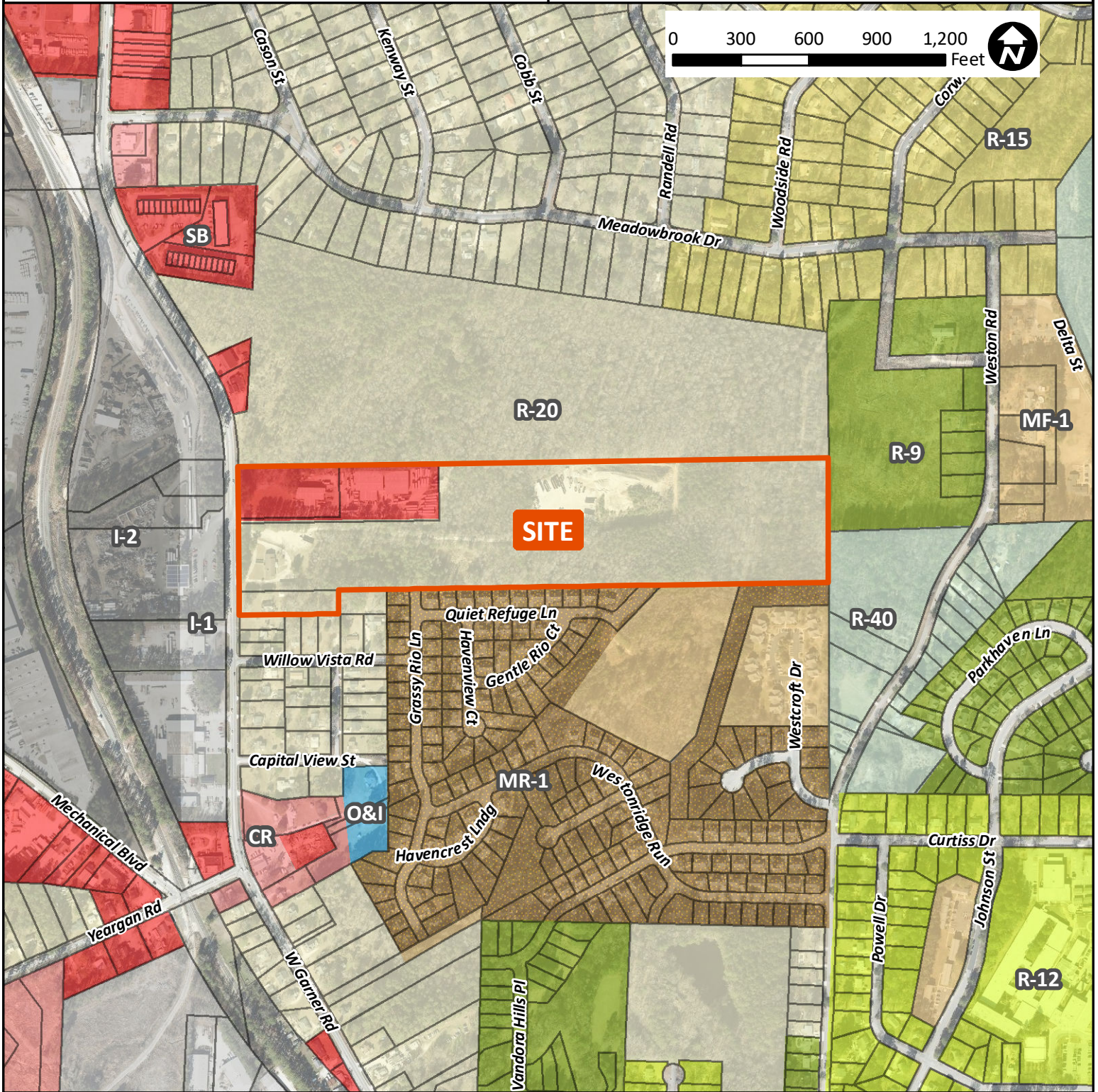
Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: CUD-Z-19-05 & CUP-SB 19-02, Thompson Business Park		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager & Jeff Triezenberg, AICP, GISP; Planning Director		
<b>Brief Summary:</b>  Conditional use rezoning (CUD-Z-19-05) with associated subdivision plan (CUP-SB-19-02) request submitted by TMTLA Associates to rezone 33.7 +/- acres from Service Business (SB) and Single-Family Residential (R-20) to Service Business Conditional Use (SB C-218) and Single-Family Residential Conditional Use (R-9 C-218). The site is located at 1530, 1502, 1518, & 1506 W. Garner Road and can be further identified as Wake County PIN(s)# 1711-17-7822, 1711-27-1892, 1711-37-1783, & 1711-17-7351.		
<b>Recommended Motion and/or Requested Action:</b> Consider adoption of Ordinance (2019) 4007		
<b>Detailed Notes:</b> See attached vicinity map and staff report. A neighborhood meeting was required by ordinance and was held on August 22, 2019. Use restrictions and characteristics are voluntarily offered as zoning conditions. Staff recommends approval of CUD-Z-19-05 & finds CUP-SB-19-02 in conformity with the UDO.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



**Town of Garner  
Planning Department**

**Conditional Use Applications  
CUP-SB-19-02 & CUD-Z-19-05**



**Project:** Thompson Business Park  
**Applicant:** TMTLA Associates  
**Owner:** 1529 Properties, LLC  
**Location:** 1530, 1532, 1518, and 1506 W. Garner Rd.  
**Pin #:** 1711-17-822, 1711-27-1892,  
 1711-37-1783, & 1711-17-7351

**Proposed Use:** Light Industrial  
**Current Zoning:** Single Family Residential (R-20) & Service Business (SB)  
**Proposed Zoning:** Service Business Conditional (SB C218) & Single Family Residential Conditional (R-9)  
**Acres:** 33.7  
**Overlay:** Garner Road Overlay

## Planning Department Staff Report

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**TO:** Mayor and Town Council Members

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

**SUBJECT:** *Conditional Use Rezoning CUD-Z-19-05 and  
Conditional Use Subdivision Plan CUP-SB-19-02, Thompson Business Park*

**DATE:** October 7, 2019

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### I. PROJECT AT A GLANCE

**Project Number(s):** CUD-Z-19-05 Conditional Use Rezoning  
CUP-SB-19-02 Conditional Use Subdivision Plan

**Applicant:** TMTLA Associates

**Owner:** 1529 Properties, LLC

**General Description -**

**Project Area & Location:** 33.7 +/- acres located at W Garner Road

**Wake Count PIN(s):** 1711-17-822, 1711-27-1892, 1711-37-1783, &  
1711-17-7351

**Current Zoning:** Service Business (SB) and Single-Family Residential (R-20)

**Requested Zoning:** Service Business Conditional Use (SB C218)

**Proposed Use(s):** Commercial Business Park

**Overlay:** Garner Road

**Key Meeting Dates:**

**Planning Commission:** September 16, 2019

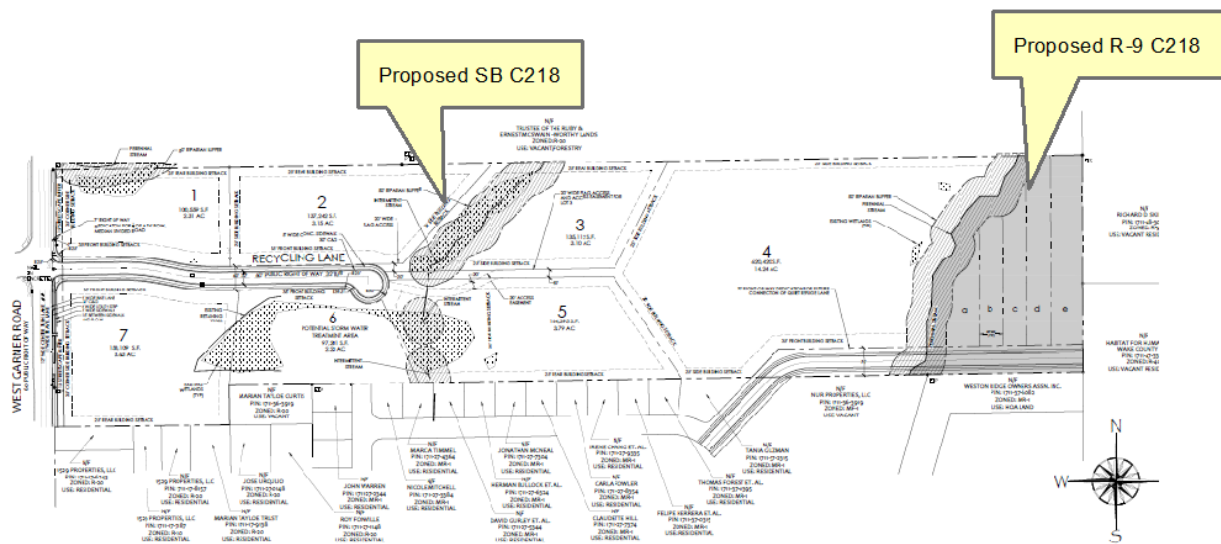
**Public Hearing & Action:** October 7, 2019

## II. BACKGROUND / REQUEST SUMMARY

The rezoning (CUD-Z-19-05) and associated subdivision plan (CUP-SB-19-02) have been submitted to develop the site into a business park with developable lots, as well as a few residential lots in the far eastern portion of the site. Each individual lot of the business park will be required to submit a conditional use permit (CUP) application when it is developed in the future (similar to White Business Park).

The entire site is 33.7-acres in area. Approximately 5.05 acres are zoned Service Business (SB) general use. The remaining 28.65-acres are zoned Single-Family Residential (R-20).

The proposal is to rezone 29.63-acres to Service Business Conditional Use (SB C218) and to rezone a 4.14-acre portion east of the centerline of the stream feature to Single-Family Residential Conditional Use (R-9 C218).



## III. ZONING ANALYSIS

**Existing:** Approximately 28.65-acres are zoned Single-Family Residential (R-20). This district allows single-family lots with a minimum size of between 12,000 and 20,000 square feet depending on the location within the site or style of development chosen.

*The following is a list of permitted uses in the R-20 District:*

- |   |  |
|---|--|
| 1. Single-family site built and modular homes | 8. Family child day care up to 8 in home                       |
| 2. Residential Cluster                        | 9. School public or private                                    |
| 3. Family Care home                           | 10. Public safety facilities (fire, police, rescue, ambulance) |
| 4. Group care home                            | 11. Cemetery   |
| 5. Intermediate care home                     | 12. Public parks, swimming pools,                              |
| 6. Community center                           |  |
| 7. Child day care up to 3 as home occupation  |  |

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>13. Religious institutions</li> <li>14. Minor utility—elevated water tank</li> </ul> | <ul style="list-style-type: none"> <li>15. Private golf course or country club</li> <li>16. Bed and breakfast</li> <li>17. Agriculture or silvi-culture</li> </ul> |
|---|--|

**Existing:** Approximately 5.05-acres of the site are zoned Service Business (SB). The SB zoning district has been established to accommodate commercial activities that are more intense in nature than those permitted in the Neighborhood Commercial (NC) or Community Retail (CR) districts. The SB general use district also allows for the storage of merchandise or equipment and allows operations to be conducted outside of a building.

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

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>1. Security or caretaker’s quarters</li> <li>2. Community Center</li> <li>3. Library, museum, art center</li> <li>4. Other Community service</li> <li>5. Civil, service fraternal club, lodges and similar uses</li> <li>6. Adult Day Care</li> <li>7. Day Care Center</li> <li>8. Business School, college or university satellite</li> <li>9. College / university</li> <li>10. Trade / vocational schools</li> <li>11. Music / dance / art instruction</li> <li>12. Ambulance, rescue squad, police, fire station</li> <li>13. Government, utility with outdoor storage</li> <li>14. Government office</li> <li>15. Medical Clinic</li> <li>16. Cemetery</li> <li>17. Funeral home / crematorium</li> <li>18. Parks, swimming pools, tennis courts, golf courses</li> <li>19. Bus passenger terminals</li> <li>20. Taxi or limo operations/facility</li> <li>21. Religious institutions</li> <li>22. Minor utility, elevated water tank</li> <li>23. Telecommunication facility</li> <li>24. Other major utility</li> <li>25. Bars and nightclubs (prohibited within 500 feet of residential use/zoning)</li> <li>26. Private golf or country club</li> <li>27. Private gym, spa, indoor tennis, pool</li> </ul> | <ul style="list-style-type: none"> <li>28. Indoor entertainment facility</li> <li>29. Electronic gaming center</li> <li>30. Outdoor entertainment facility, private athletic</li> <li>31. Sexually oriented business (prohibited within 1,000 feet of residential use/zoning)</li> <li>32. Movie Theater</li> <li>33. Drive-in Theaters</li> <li>34. Water-slides, golf driving ranges, miniature golf, batting cages or similar uses</li> <li>35. Bank, financial institution</li> <li>36. Medical office, individual</li> <li>37. General office use</li> <li>38. Bed and breakfast</li> <li>39. Extended stay facility (prohibited within 500 feet of residential use/zoning)</li> <li>40. Hotel and motels</li> <li>41. Commercial Parking</li> <li>42. Restaurant, curb or drive-in service</li> <li>43. Restaurant, indoor with seating only</li> <li>44. Restaurant, indoor with drive-through window</li> <li>45. Restaurant, take out only, drive-through or walk up</li> <li>46. Convenience store without fuel sales</li> <li>47. Convenience store with fuel sales</li> <li>48. Open air market</li> <li>49. Repair oriented use (indoor only)</li> <li>50. Personal service use (indoor operations)</li> </ul> |
|--|---|

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>51. Barber shops / salons</li> <li>52. Sales oriented use (indoor operations only)</li> <li>53. Sales oriented use (outdoor operations)</li> <li>54. Veterinarian/kennel indoor</li> <li>55. Veterinarian/kennel outdoor (prohibited within 500 feet of residential use/zoning)</li> <li>56. Self-service storage</li> <li>57. Car wash (prohibited within 500 feet of residential use/zoning)</li> <li>58. Vehicle repair (storage restricted to rear of building, 30-day storage limit)</li> <li>59. Vehicle sales and rental (storage restricted to rear of building)</li> <li>60. Vehicle service-limited</li> </ul> | <ul style="list-style-type: none"> <li>61. Vehicle towing, storage (prohibited within 500 feet of residential use/zoning)</li> <li>62. Flex space</li> <li>63. Light Industrial use indoor</li> <li>64. Light Industrial use with outdoor storage of tenant supplies</li> <li>65. Light Industrial use with outdoor operations</li> <li>66. Warehouse and freight movement with indoor storage</li> <li>67. Warehouse and freight movement with outdoor storage</li> <li>68. Recyclable materials collection center</li> <li>69. Wholesale sales</li> <li>70. Manufacturing indoor operations</li> </ul> |
|---|--|

**Proposed:** Single-Family Residential Conditional Use (**R-9 C218**) is proposed for the 4.14-acres east of the stream feature. This district allows single-family lots with a minimum size of between 6,000 and 9,000 square feet depending on the location within the site or style of development chosen.

*The following is a list of permissible uses and conditions for the proposed R-9 C218 district.*

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

Use Category	Specific Use	R-9 C218
Household Living	Single Family Detached	P*
	Single-Family Residential Subdivision	P*
	Residential Cluster	P*
	Modular Home	P*

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

**Proposed:** Service Business Conditional Use (**SB C218**) is proposed for the western 29.63-acres. The SB zoning district has been established to accommodate commercial activities that are more intense in nature than those permitted in the Neighborhood Commercial (NC) or Community Retail (CR) districts. The SB general use district also allows for the storage of merchandise or equipment and allows operations to be conducted outside of a building.

**The following is a list of permissible uses and conditions for the proposed SB C218 district.**

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

<b>Use Category</b>	<b>Specific Use</b>	<b>SB C218</b>
Community Service	Community Center	SUP
	Other community service	SUP
Educational Facilities and Services	Trade Vocational	SUP
	Business School, college, satellite campus	P
Funeral Home	Funeral home or crematorium	P
Government Facilities	Ambulance service, rescue squad, police or fire station	P
	Government utility, with outdoor storage	SUP
	Government office	SUP
Health Care	Medical clinic	P
Religious Institutions	Religious Institutions	P*
Office	Medical office - individual	P
	Other office	P
Retail Sales and Service	Personal service-oriented uses	P*
	Repair oriented use (no outdoor operations)	P
	Sales oriented use (outdoor operations)	P
	Sales oriented use (indoor operations)	P
Self Service Storage	Self Service Storage	SUP
Vehicle Sales and Service	Vehicle general repair	P*
	Car wash	P*
	Vehicle service, limited	P*
	Vehicle sales and rental	P*
	Vehicle towing and storage	P*
Light Industrial	Flex Space (including outdoor storage)	P*
	Industrial Use Indoor	P*
	Industrial Use with outdoor operations	P
Manufacturing and Production	Indoor only	P*
Warehouse and freight movement	Storage including outdoor	P*
Wholesale Sales		P*
Waste Related Services	Recyclable materials collection center	P*

2. Lighting - All lots adjacent to existing residential development within Thompson Business Park shall meet the following lighting requirements:

- a. Floodlights are prohibited.
- b. All site lights shall be full cut-off fixtures.
- c. Site lights shall have a maximum height of 25'.



3. Landscape Buffers Adjacent to Residential: All lots adjacent to existing residential development shall include in the perimeter buffer requirement a solid row of evergreen trees, a minimum of 4' in height at installation, to grow together to form a screening hedge. These evergreen trees shall count toward the evergreen tree portion in the overall perimeter buffer requirement, but additional evergreen trees may need to be added to create required screening hedge. The following is a list of plants shall be used to meet the requirement, singularly or in combination. *Please note the mature width of any plant used to meet this requirement so they can be spaced appropriately to form a hedge:*
  - a. Ilex x 'Nellie R. Stevens' Nellie Stevens Holly
  - b. Ilex x 'Emily Bruner', Emily Bruner Holly
  - c. Juniperus virginiana, Eastern Red Cedar
  - d. Cryptomeria japonica 'Yoshino', Japanese Cedar
  - e. Thuja occidentalis 'Smaragd', Emerald Green Arborvitae
  - f. Thuja (standish x plicata) 'Green Giant', Green Giant Arborvitae

**Overlay Districts:** This rezoning site falls within the **Garner Road Overlay District**. This overlay district establishes additional standards for new commercial development on Garner Road. The overlay is explained in Article 4.12 of the *Unified Development Ordinance*. There are several uses that are prohibited or restricted within the overlay district.

#### **Garner Road Overlay District**

***Prohibited Uses*** - The following are prohibited uses within the overlay regardless of base zoning:

1. Drive-in movie theaters
2. Adult cabarets and establishments
3. Outside storage of goods not related to sale or use on premises
4. Junkyards, automobile graveyards
5. Commercial greenhouse operations

***Prohibited Under Certain Circumstances*** - The following are prohibited uses within 150 feet of a residential use or zone:

1. Pool halls, bowling alleys
2. Bars, night clubs

***Restricted Uses*** - The following are restricted uses (setbacks, buffers, landscaping, screening):

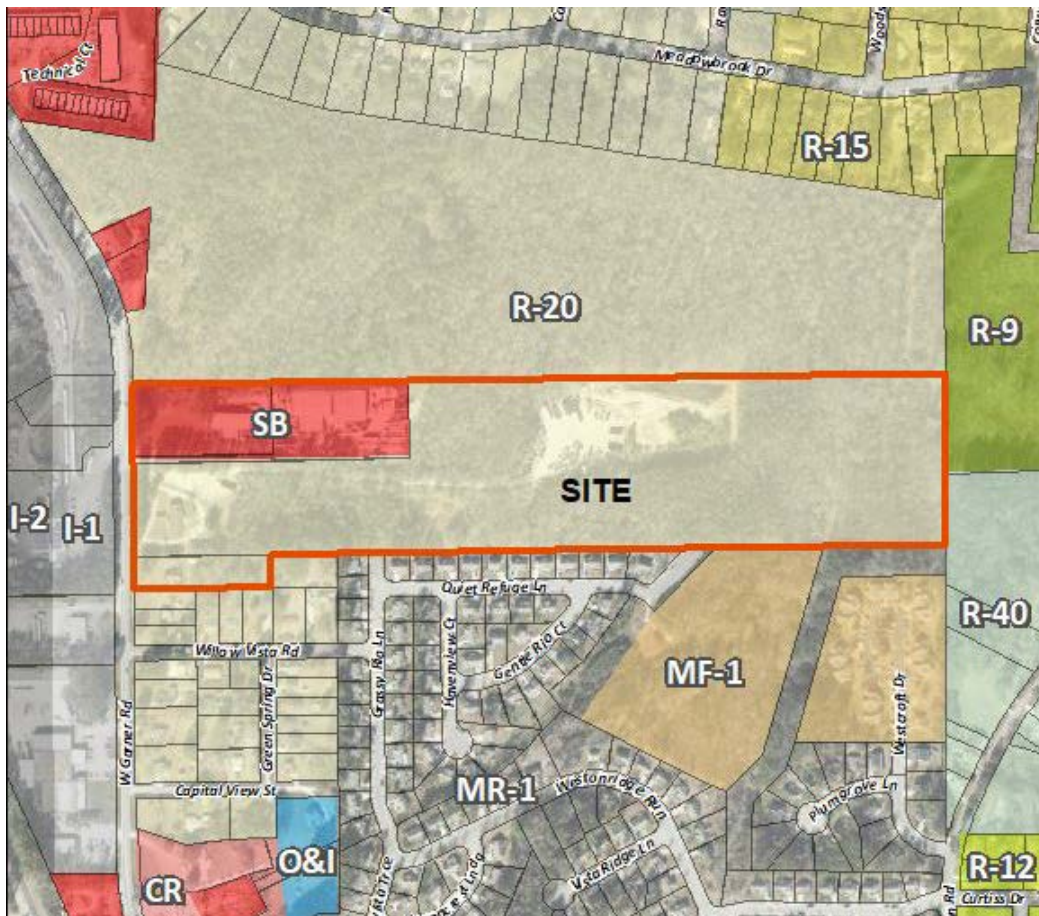
1. Auto sales & service
2. Auto repair
3. Car washes

**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in the vicinity of this site.

Case	Applicant	Location	Zoning Change
Z -79-01	William Autry	Rezoning Site (5.05 acres)	R-20 to SB
CUD-Z-87-10	Charlie Cross	W Garner Road (Technical Business Park)	R-20 to SC C13
CUD-Z-97-10	Roy Tripp	Quiet Refuge Lane	MR-1 to MF-1 C74
CUD-Z-00-07	James Carroll	Green’s Grill	CR to SB C103

**Adjacent Zoning and Land Use:**

- North:** R-20 Undeveloped
- South:** R-20 & MR-1 Residential, Weston Ridge Subdivision
- East:** R-40 & R-9 Residential
- West:** I-1 & I-2 Heavy industrial/ scrap yard



**IV. COMMUNITY INFORMATION**

**Overall Neighborhood Character:** The development pattern in this area contains a mix of

residential, single-family and heavy commercial. The majority of industrial-type uses are on the westside of W. Garner Road. The east side of W. Garner Road contains residential with scattered retail service and commercial flex space.

**Traffic:** The site has approximately 655 feet of road frontage on W. Garner Road. This road is currently an approximate 40-foot NCDOT-maintained facility within a 65-foot right of way. It has been widened to include curb, gutter and sidewalks on the westside (TT&E) but lacks improvements on the east side of W. Garner Road. NCDOT average daily traffic count history on W Garner Road is as follows:

- Year 2007 – 13,000
- Year 2009 – 12,000
- Year 2011 – 12,000
- Year 2013 – 12,000
- Year 2015 – 13,000
- Year 2017 – 13,000

A Traffic Impact Analysis was not required for this project as it is not expected to surpass peak hour or daily thresholds at this time. This requirement may be revisited in the future if the development of individual tracts/lots collectively surpass the thresholds.

**Neighborhood Meeting:** 112 properties were invited to a neighborhood meeting held at the Garner Senior Center on Thursday, August 22, 2019 from 6:30 to 7:30pm. Three (3) invitations were returned as undeliverable. Six (6) people attended the meeting, including two (2) residents of the Green Acres Subdivision and one (1) resident each from the Weston Ridge and Cloverdale subdivisions. A summary of the meeting is included in the agenda packet for reference.

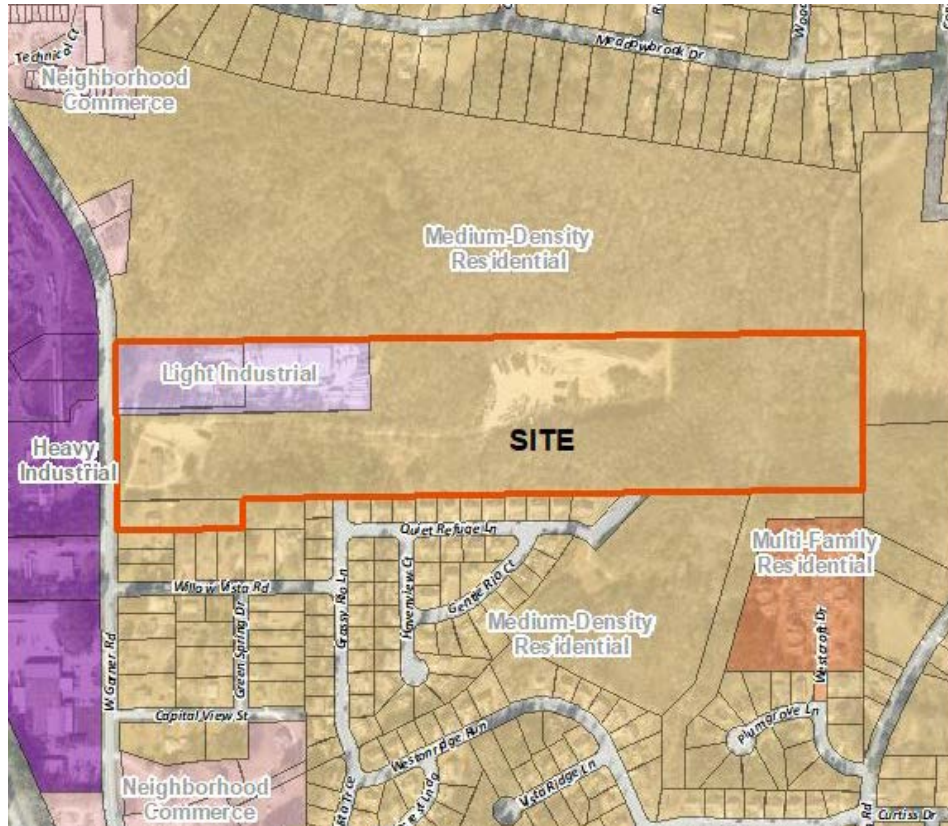
## **V. STATEMENTS OF ZONING CONSISTENCY WITH THE COMPREHENSIVE PLAN**

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

### ***Land Use:***

On the current Future Land Use Map, the 5.05-acre portion of the site currently zoned Service Business (SB) is designated as **Light Industrial Center**. The remaining 28.65-acres zoned Single-Family Residential (R-20) is designated as **Medium-Density Residential**. The predominate designation in this area is also Medium-Density Residential, although there are pockets of Neighborhood Commerce and Heavy Industrial along W. Garner Road. The **Medium-Density Residential** land use category includes single-family, duplex, triplex, quadplex, and townhome-style residences with no less than two and a half (2.5) nor more than five (5) units per acre. Medium-Density Residential structures may also include auxiliary units detached from the primary house. The Medium-Density Residential designation encourages context sensitive residential uses that preserve and enhance the culture of adjacent residential communities. The Single-Family Residential (R-9) portion of this conditional zoning request is consistent with the recommended density of this land use designation.

Meanwhile, **Light Industrial Centers** support small to medium-scale, on-site manufacturing and production uses including warehousing, light manufacturing, distribution, medical research/laboratory, and assembly operations. The Service Business (SB) portion of this conditional zoning request is consistent with the recommended uses for this land use designation but would expand the area so designated from 5.05 acres to 29.63 acres, an increase of 24.58 acres. The rezoning would also bring this land use designation to a point where it is directly adjacent to 18 subdivided single-family residential lots. While not completely incompatible, careful attention should be paid to this area to mitigate potential negative impacts.



**Living Spaces:**

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

1. The proposed subdivision layout will allow that “fencing, tree buffers, and berms can also be used to create complementary, non-controversial, developments” (p. 65).
2. The proposed subdivision layout does not promote the addition of light industrial traffic to the adjacent residential streets, thereby allowing the public areas of the neighborhoods to be better maintained and “remain a positive asset” (p. 68).

**Working Places:**

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

1. The business park subdivision can support the idea that “investing in streetscaping...and seeking opportunities for redevelopment of commercial...properties has happened and should continue to occur” in North Garner (p. 74).

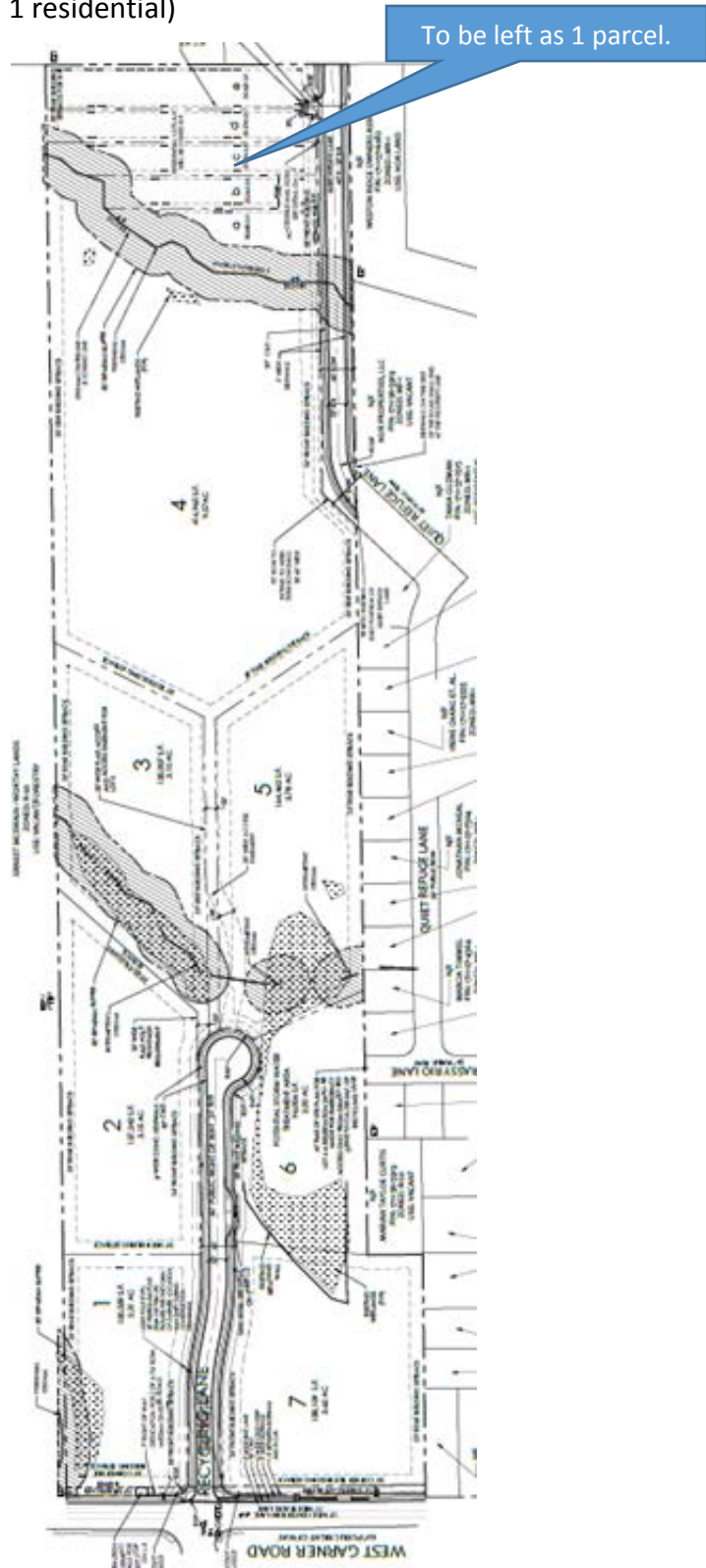
Special streetscaping attention should be given to any redevelopment of Lot 1 and development of Lot 7 during future conditional use site plan approval processes.

**Zoning Consistency Statement:** Based on the preceding, Town staff offers that the requested rezoning from Service Business (SB) and Single-Family Residential (R-20) to Service Business Conditional Use (SB C218) and Single-Family Residential Conditional Use (R-9 C218) is partly consistent with the 2018 *Garner Forward Comprehensive Plan's* guiding principles and recommendations of the living spaces and working places sections of the plan as well as being consistent with the range of recommended density for the medium-density residential land use and consistent with the types of uses called for in Light Industrial centers. However, the 24.51-acre portion of the request that would establish Service Business Conditional Use zoning in areas currently designated as Medium-Density Residential land use shows that the request is partly inconsistent with the *Plan*, but the conflicting portion of the future land use map could be amended as part of a re-zoning approval.

**VI. SUBDIVISION PLAN PROJECT DATA**

**Acreege:** 33.7 acres

**Number of Lots:** 8 (7 commercial, 1 residential)



<b>Minimum Lot Size:</b>	Service Business:	6,000 square feet
	Single-Family Residential:	6,000 – 9,000 square feet
<b>Setbacks:</b>	Service Business:	Front – 35' Rear – 0'/25' Side – 0'/25' Corner Side – 35'
	Single-Family Residential:	Front – 25' Rear – 20' Side* – 6' min./15' combined Corner Side – 20'

*\* Interior side setback distance less than 10 feet requires a 5-foot property maintenance easement be provided on the adjoining lot and recorded on the final subdivision plat.*

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

- **Tree Cover:** This requirement will be evaluated as part of each future site plan within the subdivision.
- **Perimeter Buffers:** This requirement will be fully evaluated as part of each future site plan within the subdivision. However, a 25' buffer (the minimum possible to be required in the future) is being restored where there had been unpermitted disturbance.
- **Street Buffers:** This requirement will be evaluated as part of each future site plan within the subdivision.
- **Street Trees:** Provided every 40' on average along W. Garner Road, Recycling Lane and the north side of Quiet Refuge Lane.

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

- Required: 10% of the residential tract will be required upon further major subdivision.

**Environmental Features:**

The southern portion of the site is within a FEMA designated floodplain. The site is also impacted by a riparian buffer along a pond and stream running roughly through the middle of the site.



**Fire Protection:**

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

**Lighting:**

A street lighting plan will be required to be approved prior to Construction Drawing approval. On-site lighting will be reviewed with each subsequent site plan.

**Infrastructure:**

**Stormwater Management** – Thompson Business Park is an Industrial Park with a residential component that is not located within the watershed protection area. This site is subject to water quality requirements for nitrogen and water quantity for the 1, 10 and 25-year storm events. This development plan proposes a stormwater control measure and an underground detention system. These devices will provide treatment for nitrogen and any water quantity requirements at this site.

**Water/Sewer** – The site will be served by City of Raleigh water and sewer infrastructure. Points of possible connection exist near W. Garner Rd. as well as Quiet Refuge Lane.





**Transportation/Access** – The site has approximately 655 feet of road frontage on W. Garner Road. This road is currently an approximate 40-foot NCDOT-maintained facility within a 65-foot right of way. It has been widened to include curb, gutter and sidewalks on the westside (TT&E) but lacks improvements on the east side of W. Garner Road. There is one (1) proposed access point from W. Garner Road and will feature an additional emergency point of access from Grassy Rio Lane. The residential tract will be accessed via an extension of Quiet Refuge Lane. Plans will improve W. Garner Road with curb, gutter and sidewalk along the frontage of the property and include a bus stop for the new GoRaleigh Route 20.

## **VII. SITE PLAN CONFORMITY WITH ADOPTED TOWN PLANS AND POLICIES**

### **2018 Garner Forward Transportation Plan:**

The 2018 Garner Forward Transportation Plan recommends Garner Road as a 2-lane divided facility and also recommends 2-lane local street connectivity to the east in this area. The bicycle and pedestrian portions of the Plan call for a proposed greenway along the Neuse River Buffer and stream crossing the eastern portion of the site. A greenway easement will be incorporated prior to Town Council approval with future construction required with subsequent major residential subdivision. Finally, the transit portion of the plan identifies a transit loop with bus stops along W. Garner Road. With the proposed widening of Garner Road, the extension of Quiet Refuge Way, the provision of a bus stop on Garner Road, and the provision of a public greenway easement across the eastern portion of the site, the plans may be considered consistent with the 2018 Garner Forward Transportation Plan.

### **Parks & Recreation, Open Space & Greenways Master Plan:**

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

### **Unified Development Ordinance Regulations:**

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

1. Prior to approval by the Town Council, a public greenway easement traversing the eastern portion of the site from north to south shall be provided.
2. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner.
3. Prior to construction drawing approval, a street lighting plan shall be approved by the Technical Review Committee.
4. Prior to issuance of the first building permit:
  - a. all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department;
  - b. the 25' buffer shall be re-established along the northern property line.

### **VIII. PLANNING COMMISSION NOTES AND RECOMMENDATION**

The Planning Commission reviewed this request at their September 16, 2019 meeting. By a unanimous vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SB-19-02, Thompson Business Park, is in conformity with adopted town plans and policies. The Commission further accepted staff's statements regarding partial zoning consistency/inconsistency with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommended approval of CUD-Z-19-05 to the Town Council by a unanimous vote.

Staff recommendations for rezoning request (CUD-Z-19-05) and subdivision plan (CUP-SB-19-02) conformity are highlighted in the motion worksheets on the following pages.

## CUD-Z-19-05 – Thompson Business Park

### *Rezoning Motion Worksheet*

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

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

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

---

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

**1. Find Consistent with the Comprehensive Plan and Approve:**

“I move that the Town Council accept staff’s statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and I therefore move further that the Town Council adopt Ordinance No. (2019) 4407 approving rezoning request CUD-Z-19-05 as it is reasonable and in the public interest because it will likely select as many reasons as appropriate from below list or provide your own reasoning”

- Allow appropriate types of business and industry at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area.
- Allow development of retail sales, service, convenience stores, restaurants, or office uses as desired ends identified in the Future Land Use.
- Allow and provide an opportunity to attract and develop unique non-residential establishments.
- Provide your own reason: \_\_\_\_\_

**2. Find Inconsistent with the Comprehensive Plan and Deny:**

“I move that the Town Council find the rezoning request inconsistent with the Garner Forward Comprehensive Plan for the following reason(s): provide your reasoning and therefore, I move further that the Town Council reject the recommendation of the Planning Commission and deny rezoning request number CUD Z 19-05.”

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

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

- Allow appropriate types of business and industry at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area.
- Allow development of retail sales, service, convenience stores, restaurants, or office uses as desired ends identified in the Future Land Use.
- Allow and provide an opportunity to attract and develop unique non-residential establishments.
- Provide your own reason:

and therefore, I move further that the Town Council adopt Ordinance No. (2019) 0000 approving rezoning request number CUD-Z-19-05, and in so doing, also amend the Town’s Comprehensive Growth Plan from designating the western 24.51 +/- acres of the subject property identified previously as Medium-Density Residential to Light Industrial.”

## CUP SB 19-02 Thompson Business Park

### *Conditional Use Permit Motion Worksheet*

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

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

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

---

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

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

"I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-19-02, Thompson Business Park with the three standard conditions and nine (9) site-specific conditions to be listed on the permit that will be prepared by Staff."

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

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

***Condition #1:***

***Condition #2, etc.:***

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

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

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

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

and therefore, deny master plan Thompson Business Park – CUP-SB-19-02.

Thompson Business Park  
CUP-SB-19-02  
Neighborhood Meeting Summary  
8/26/2019

The neighborhood meeting for Thompson Business Park was held on August 22<sup>nd</sup> at 6:30 pm at the Garner Senior Center. A list of attendees as well as the neighborhood meeting notice are attached. The following letters were returned to us noted as undeliverable:

Jonathan McNeal – 117 Quiet Refuge Lane – Garner, NC 27529  
Sean and Irene Krohn – 303 Weston Road – Garner, NC 27529  
Charlie Wilkie – 310 Westonridge Run – Garner, NC 27529

Keith Roberts of the Timmons Group started the meeting by giving a brief overview of our project, including out split SB(CU) and R-9 zoning request. It was explained to the meeting attendees that the 7 lots to the west of the stream would be commercial/light industrial uses and the 5 smaller lots to the east of the stream would be residential lots. The following issues were discussed:

- There will be no heavy industrial uses allowed.
- The noise and dust that happens with the existing gravel road will be mitigated greatly when the paved road is installed.
- There will be buffers along the property adjacent to the other lots and the width would range from 25' to 65'. As much existing vegetation in those buffers would be retained due to not being allowed to grade into those buffers.
- There will be no regular roadway connection of Grassy Rio Lane to the road planned internal to our project. There may be an emergency access road planned when lot 6 is developed but it will be gated to prohibit thru traffic of large trucks into the neighborhood to the south – and vice versa.
- Stormwater ponds will be used to contain and treat stormwater runoff.
- The two uses (SB and R-9) will not connect. The residential part will only be accessed via the extension of Quiet Refuge Lane.
- There will be a limit to the heights of the buildings within this project. The zoning dictates the height and we noted it was either 30' or 35'.
- It will be approximately a year before development activity takes place on site.
- The anticipated timeline for this project is to go to Planning Commission in September and Town Council in October. We told the meeting attendees to look for the sign posted along the frontage of our site as well as check online for when this will be heard at those meetings. It was also noted that they should get something in the mail ahead of the Town Council Meeting.





July 26, 2019

**RE: Public Information Meeting for Proposed Rezoning at 1530, 1532, 1518, & 1506 Garner Road**

**Venue & Meeting Details:**

**Date: Thursday, August 22<sup>nd</sup>, 2019**

**Time: 6:30 P.M. - 7:30 P.M.**

**Place: Garner Senior Center – Multipurpose Room  
205 E Garner Rd  
Garner, NC 27529**

Dear Neighbor,

You are cordially invited to a Public Information Meeting to discuss our proposed rezoning located at 1530, 1532, 1518, & 1506 Garner Road. These properties are being rezoned from SB and R-20 to SB(CU) and R-9 to allow for the development of a commercial/light industrial and residential subdivision.

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their attention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

Town Planning staff will not be in attendance at this meeting, but if you have additional questions about the project you may contact the Town's case manager, David Bamford at (919) 773-4443 or [dbamford@garnernc.gov](mailto:dbamford@garnernc.gov). Property owners within the notification area will receive a separate notice from Town Planning staff when a public hearing is scheduled before the Garner Town Council.

We would like to share our proposal with you and address any questions or concerns our future neighbors may have. The meeting venue and details are mentioned above.

If you have any questions I can be reached at (919) 484-8880 or [pam@tmtla.com](mailto:pam@tmtla.com). Thank you for your consideration of this correspondence and we look forward to seeing you on August 22<sup>nd</sup>.

Regards,



Pamela Porter, PLA, LEED AP  
TMTLA Associates

STEWART, KATHLEEN D  
1002 MEADOWBROOK DR  
GARNER NC 27529-2826

RAYMOND, DANA G  
1004 MEADOWBROOK DR  
GARNER NC 27529-2826

FRANK, DAVID APOLLINARI  
1006 MEADOWBROOK DR  
GARNER NC 27529-2826

BRADSHAW, MARY ANN  
1008 MEADOWBROOK DR  
GARNER NC 27529-2826

CARDOZA, JOSE ALAS  
101 GENTLE RIO CT  
GARNER NC 27529-2893

MITCHELL, NICOLE E  
101 QUIET REFUGE LN  
GARNER NC 27529-2891

ORELLANA, SALVADOR ROLANDO DE  
ORELLANA, DORIS TRINIDAD RIVERA  
1010 MEADOWBROOK DR  
GARNER NC 27529-2826

KRUM, DAVID W KRUM, PENNY L  
1012 MEADOWBROOK DR  
GARNER NC 27529-2826

URQUIJO, JOSE URQUIJO, IDELSI  
102 ASHWYN CT  
CARY NC 27518-9171

BROOKS, DAMIEN LAMONTE  
102 PLUMGROVE LN  
GARNER NC 27529-5322

BOST, BOBBY N  
104 HAVENVIEW CT  
GARNER NC 27529-2887

SINCLAIR, CARL L SINCLAIR, MELISSA L  
105 GENTLE RIO CT  
GARNER NC 27529-2893

REDD, BRIDGETTE REDD, DICKSON  
105 HAVENVIEW CT  
GARNER NC 27529-2887

TIMMEL, MARCIA A  
105 QUIET REFUGE LN  
GARNER NC 27529-2891

MORGAN, JUANITA MICHELLE  
106 PLUMGROVE LN  
GARNER NC 27529-5322

BERGANZA, INGRID  
108 HAVENVIEW CT  
GARNER NC 27529-2887

HALL, MICHELE R  
109 GENTLE RIO CT  
GARNER NC 27529-2893

GURLEY, DAVID TRAVIS GURLEY, COURTNEY  
CLARKE  
109 QUIET REFUGE LN  
GARNER NC 27529-2891

SWINTON, ANNE F  
110 PLUMGROVE LN  
GARNER NC 27529-5322

MCNEILL, ALVIN R  
1102 MEADOWBROOK DR  
GARNER NC 27529-2828

BROOKS, REGINALD BROOKS, TERESA ANN  
1104 MEADOWBROOK DR  
GARNER NC 27529-2828

DUPREE, JAMES D  
1106 MEADOWBROOK DR  
GARNER NC 27529-2828

TURNER, JEREMY M TURNER, PAMELA M  
1112 MEADOWBROOK DR  
GARNER NC 27529-2828

HODGES, BRENDA JAMES  
1113 VANDORA SPRINGS RD  
GARNER NC 27529-3746

GARR, ARMANDO GARR, KAREN  
112 FROHLICH DR  
CARY NC 27513-1734

EDMUNDSON, DAISEY A  
1128 CURTISS DR  
GARNER NC 27529-2864

BARRERA, MARIA L CARDENAS, GABINO  
BARRERA  
113 GENTLE RIO CT  
GARNER NC 27529-2893

BULLOCK, HERMAN BULLOCK, VALERIE  
113 QUIET REFUGE LN  
GARNER NC 27529-2891

WESTON TRACE PARTNERS LLC  
113 S WILMINGTON ST  
RALEIGH NC 27601-1443

TAYLOR, BETTY M  
114 PLUMGROVE LN  
GARNER NC 27529-5322

BARRY, TODD  
114 WESTCROFT DR  
GARNER NC 27529-5320

CHOLULA, LIOVIGILDO GONZALEZ  
HURTADO, MARILUD RODRIGUEZ  
116 QUIET REFUGE LN  
GARNER NC 27529-2890

PUCEK, DONNA J HESS, DANIEL C  
117 GENTLE RIO CT  
GARNER NC 27529-2893

MCNEAL, JONATHAN K  
117 QUIET REFUGE LN  
GARNER NC 27529-2891

RUSSELL, STANLEY B RUSSELL, MILDRED J  
118 PLUMGROVE LN  
GARNER NC 27529-5322

GRAHAM, BENJAMIN PHILLIP GRAHAM,  
TERESA DAWN  
1200 MEADOWBROOK DR  
GARNER NC 27529-2830

EUBANKS, TIMOTHY A EUBANKS, PAULINE  
M  
1208 MEADOWBROOK DR  
GARNER NC 27529-2830

HILL, CLAUDETTE C  
121 QUIET REFUGE LN  
GARNER NC 27529-2891

BACILIO-PRUDENCIO, NANCY BARAJAS,  
FRANCISCO  
1212 MEADOWBROOK DR  
GARNER NC 27529-2830

LYONS, BLANCHE FIELDS  
122 PLUMGROVE LN  
GARNER NC 27529-5322

WARD, THERESA C  
124 GRASSY RIO LN  
GARNER NC 27529-2888

COKLEY, BERTIA M  
124 QUIET REFUGE LN  
GARNER NC 27529-2890

FOWLER, CARLA B  
125 QUIET REFUGE LN  
GARNER NC 27529-2891

LANIER, KIRK  
126 PLUMGROVE LN  
GARNER NC 27529-5322

RHODES, RANDOLPH RHODES, PHYLLIS H  
128 GRASSY RIO LN  
GARNER NC 27529-2888

MOSBY, NATHAN ALAN  
129 GENTLE RIO CT  
GARNER NC 27529-2893

GIBBS, TAMIKA S BENJAMIN, RASHAWN D  
129 GRASSY RIO LN  
GARNER NC 27529-2889

TAN, CHE SOON CHANG, IRENE  
129 QUIET REFUGE LN  
GARNER NC 27529-2891

HASSEL, CAROL K  
1304 MEADOWBROOK DR  
GARNER NC 27529-2832

MUNSTER, MICHAEL JOSEPH MUNSTER,  
BEATRIZ V  
132 GENTLE RIO CT  
GARNER NC 27529-2892

USCIO, ANDREA USCIO, MICHAEL  
132 GRASSY RIO LN  
GARNER NC 27529-2888

NAVARRO, FRANCISO NAVARRO, PANFILO  
133 GRASSY RIO LN  
GARNER NC 27529-2889

HERRERA, FELIPE DE JESUS DEHERRERA,  
ROSA E VAZQU  
133 QUIET REFUGE LN  
GARNER NC 27529-2891

JONES, VICKI A  
137 GRASSY RIO LN  
GARNER NC 27529-2889

FORREST, KEAONDRA C FORREST, THOMAS  
J III  
137 QUIET REFUGE LN  
GARNER NC 27529-2891

PINEDA, YAGALY C PINEDA, SAGRARIO S  
140 GENTLE RIO CT  
GARNER NC 27529-2892

ROMERO, GUADALUPE PINEDA  
1400 MEADOWBROOK DR  
GARNER NC 27529-2834

BIERS, JUSTIN LEE  
1404 MEADOWBROOK DR  
GARNER NC 27529-2834

FREEMAN, WILLIAM THOMAS JR  
1408 MEADOWBROOK DR  
GARNER NC 27529-2834

WARREN, JOHN SCOTT II  
141 GRASSY RIO LN  
GARNER NC 27529-2889

GUZMAN, TANIA L  
141 QUIET REFUGE LN  
GARNER NC 27529-2891

SCARBORO, LILLIAN H SCARBORO, PHILLIP  
RAY  
1500 MEADOWBROOK DR  
GARNER NC 27529-2836

PENNY, DAVID R  
1502 MEADOWBROOK DR  
GARNER NC 27529-2836

AKNOUK, RICHARD S  
1502 W GARNER RD  
GARNER NC 27529-2812

MORENO, ADA Y MORENO, MARIA B  
1508 MEADOWBROOK DR  
GARNER NC 27529-2836

MARTIN, JULIA L MARTIN, CHRISTOPHER R  
1512 MEADOWBROOK DR  
GARNER NC 27529-2836

1529 PROPERTIES LLC  
1529 W GARNER RD  
GARNER NC 27529-2811

PEARCE BROTHERS ROOFING CO INC  
1706 W GARNER RD  
GARNER NC 27529-2816

PEARCE, DONNIE M PEARCE, JAMES O  
1714 W GARNER RD  
GARNER NC 27529-2816

TRIANGLE BUSINESS PARK PROPERTY  
OWNERS ASSOCIATION  
1800 SPACER DR  
RALEIGH NC 27603-4922

JONES, KIMOTHY LLOYD JONES,  
SAMANTHA SMITH  
220 WESTON RD  
GARNER NC 27529-2838

RIVERA, JARIS ALVARENGA  
228 WESTON RD  
GARNER NC 27529-2838

RAMIREZ, MALIA  
230 WESTON RD  
GARNER NC 27529-2838

HOLLYFIELD, GOLDIE B  
232 WESTON RD  
GARNER NC 27529-2838

DUGAN, JOEL C  
234 WESTON RD  
GARNER NC 27529-2838

HABITAT FOR HUMANITY OF WAKE  
COUNTY INC  
2420 N RALEIGH BLVD  
RALEIGH NC 27604-2235

SMITH, GARY W SMITH, DEBORAH W  
246 DEER VALLEY RD  
PINEY CREEK NC 28663-8920

JONES, DAVID C  
2907 HOGAN LN  
RALEIGH NC 27607-5411

SCHWARTZ, JOYCE J.  
300 WESTONRIDGE RUN  
GARNER NC 27529-5326

KROHN, IRENE HENRIETTE KROHN, SEAN  
303 WESTON RD  
GARNER NC 27529-2839

WILKIE, CHARLES ASHLEY  
310 WESTONRIDGE RUN  
GARNER NC 27529-5326

DUMAS, KELVIN  
319 FAYETTEVILLE ST UNIT 313  
RALEIGH NC 27601-1975

MUNSTER, CHARLES EUGENE  
3707 GRAND WAY APT 108  
MINNEAPOLIS MN 55416-2700

PIPER, WILLIAM LLOYD PIPER, VIVIAN  
40 HOMESTEAD LN  
ANGIER NC 27501-7872

CRUZ, LUIS MELENDEZ CRUZ, MARIA EDITH  
400 WESTONRIDGE RUN  
GARNER NC 27529-5328

WALKER, CHARLIE E WALKER, DIANE M  
404 WESTONRIDGE RUN  
GARNER NC 27529-5328

CONTRERAS, CARLOS CONTRERAS, MABEL  
NOYOLA A  
408 WESTONRIDGE RUN  
GARNER NC 27529-5328

CHESTER, FELICIA A CHESTER, CANDICE N  
412 WESTONRIDGE RUN  
GARNER NC 27529-5328

POZO, MARTINEZ ERIKA L BELTRAN,  
GARCIA JOSE N  
420 WESTONRIDGE RUN  
GARNER NC 27529-5328

MAJEL ENTERPRISES LLC  
4516 CONNELL DR  
RALEIGH NC 27612-5600

TGS PROPERTIES LLC  
514 DANIELS ST STE 414  
RALEIGH NC 27605-1317

BEST INVESTMENT REALTY LLC  
525 THISTLEGATE TRL  
RALEIGH NC 27610-2154

OWENS, MARIE OWENS, THOMAS LEE JR  
801 TALL TREES DR  
SCRANTON PA 18505-2247

LOVE, UNDRA L  
818 FRANK ST  
ADRIAN MI 49221-3019

HIGGINS, PEGGY BYRD  
901 LAKESIDE DR  
GARNER NC 27529-4248

SKILLEN, RICHARD D  
902 RICHARDSON RD  
GARNER NC 27529-2846

BODDIE, GAYLE  
914 WILLOW VISTA RD  
GARNER NC 27529-2842

FONVILLE, ROY R  
921 WILLOW VISTA RD  
GARNER NC 27529-2841

METHENY, HELEN  
C/O BETTY L METHENY EXECUTRIX  
1510 MEADOWBROOK DR  
GARNER NC 27529-2836

AMERICAN IRA LLC  
DEBRA PESTRAK IRA  
50 PUU ANOANO ST APT 1603  
LAHAINA HI 96761-1957

2018-4 IH BORROWER LP  
INVITATION HOMES  
1717 MAIN ST STE 2000  
DALLAS TX 75201-4657

NUR PROPERTIES, LLC  
KHALED A AL-ZOUBI PE  
5407 DILLARD DR  
RALEIGH NC 27606-4121

MARIAN TAYLOE CURTIS IRREVOCABLE  
TRUST THE  
MARIAN T CURTIS TRUSTEE  
1819 SAINT MARYS ST  
RALEIGH NC 27608-2222

PROGRESS ENERGY CAROLINAS INC  
PO BOX 1551  
RALEIGH NC 27602-1551

TRUSTEE OF THE RUBY & ERNEST  
MCSWAIN-WORTHY LANDS  
PO BOX 2280  
SANFORD NC 27331-2280

WESTON RIDGE OWNERS ASSN INC  
PO BOX 267  
GARNER NC 27529-0267

FOX, FRANCES BONAGURO, JOANNE  
PO BOX 286  
GARNER NC 27529-0286

SMALL WORLD PROPERTIES, LLC  
PO BOX 453  
WILLOW SPRING NC 27592-0453

1529 PROPERTIES LLC  
PO BOX 554  
GARNER NC 27529-0554

AMERIGAS PROPANE LP  
PO BOX 965  
VALLEY FORGE PA 19482-0965

1400 GARNER MRP LLC  
WHITESTAR ADVISORS LLC  
902 CLINT MOORE RD STE 104  
BOCA RATON FL 33487-2846

GARCIA-AZANZA, VICENTE MARAVILLA,  
GRISelda BARRIENTOS  
100 HAVENVIEW CT  
GARNER NC 27529-2887

Return to:  
Stella Gibson  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

**ORDINANCE NO. (2019) 4007**

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

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

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

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

**Section 1.** That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by 1529 Properties, LLC in Rezoning Application No. CUD Z 19-05 (C218).

**Section 2.** There is hereby created a new conditional use zoning district, to be known as the **Service Business (SB) and Residential 9 (R-9) Conditional Use District (C218)**; within this district, all of the regulations that apply to property within the **SB & R-9 Conditional Use District (C218)** shall be applicable and that all other uses are prohibited except those that are listed as permissible shall require a conditional use permit:

The following is a list of conditions for the R-9 Conditional Use (R-9 C218) district.

1. Permitted use table:

Permitted use table (selected from preceding generally permitted use list):

Use Category	Specific Use	R-9 C218
Household Living	Single Family Detached	P*
	Single-Family Residential Subdivision	P*
	Residential Cluster	P*
	Modular Home	P*

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

The following is a list of conditions for the SB Conditional Use (SB C218) district.

1. Permitted use table:

Use Category	Specific Use	SB C218
Community Service	Community Center	SUP
	Other community service	SUP
Educational Facilities and Services	Trade Vocational	SUP
	Business School, college, satellite campus	P
Funeral Home	Funeral home or crematorium	P
Government Facilities	Ambulance service, rescue squad, police or fire station	P
	Government utility, with outdoor storage	SUP
	Government office	SUP
Health Care	Medical clinic	P
Religious Institutions	Religious Institutions	P*
Office	Medical office - individual	P
	Other office	P
Retail Sales and Service	Personal service-oriented uses	P*
	Repair oriented use (no outdoor operations)	P
	Sales oriented use (outdoor operations)	P
	Sales oriented use (indoor operations)	P
Self Service Storage	Self Service Storage	SUP
Vehicle Sales and Service	Vehicle general repair	P*
	Car wash	P*
	Vehicle service, limited	P*

Use Category	Specific Use	SB C218
	Vehicle sales and rental	P*
	Vehicle towing and storage	P*
Light Industrial	Flex Space (including outdoor storage)	P*
	Industrial Use Indoor	P*
	Industrial Use with outdoor operations	P
Manufacturing and Production	Indoor only	P*
Warehouse and freight movement	Storage including outdoor	P*
Wholesale Sales		P*
Waste Related Services	Recyclable materials collection center	P*

2. Lighting - All lots adjacent to existing residential development within Thompson Business Park shall meet the following lighting requirements:
  - a. Floodlights are prohibited.
  - b. All site lights shall be full cut-off fixtures.
  - c. Site lights shall have a maximum height of 25'.
  
3. Landscape Buffers Adjacent to Residential: All lots adjacent to existing residential development shall include in the perimeter buffer requirement a solid row of evergreen trees, a minimum of 4' in height at installation, to grow together to form a screening hedge. These evergreen trees shall count toward the evergreen tree portion in the overall perimeter buffer requirement, but additional evergreen trees may need to be added to create required screening hedge. The following is a list of plants shall be used to meet the requirement, singularly or in combination. *Please note the mature width of any plant used to meet this requirement so they can be spaced appropriately to form a hedge:*
  - a. Ilex x 'Nellie R. Stevens' Nellie Stevens Holly
  - b. Ilex x 'Emily Bruner', Emily Bruner Holly
  - c. Juniperus virginiana, Eastern Red Cedar
  - d. Cryptomeria japonica 'Yoshino', Japanese Cedar
  - e. Thuja occidentalis 'Smaragd', Emerald Green Arborvitae
  - f. Thuja (standish x plicata) 'Green Giant', Green Giant Arborvitae

**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
1529 Properties, LLC	1711-17-822, 1711-27-1892, 1711-37-1783, & 1711-17-7351	Single-Family Residential (R-20) and Service Business (SB)	Service Business (SB) and Residential 9 (R-9) Conditional Use District (C218)

**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 7th day of October, 2019.

---

Ronnie S. Williams, Mayor

ATTEST: \_\_\_\_\_  
 Stella L. Gibson, Town Clerk

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Meadowbrook Property Contract Update		
Location on Agenda: Old/New Business		
Department: PRCR		
Contact: Sonya Shaw, PRCR		
Presenter: McAdams- Consultants		
Brief Summary:  McAdams will present updates to the master planning contract for Meadowbrook Property. Revised contract fees total \$74,430.		
Recommended Motion and/or Requested Action: Authorize manager to sign updated contract.		
Detailed Notes:		
Funding Source:		
Cost:	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:	SS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

July 13, 2018

**Revised August 1, 2018**

**Revised July 5, 2019**

**Revised October 1, 2019**

Mrs. Sonya Shaw  
Department Director  
Garner Parks, Recreation + Cultural Resources  
209 East Garner Road  
Garner, North Carolina 27529

**RE: Meadowbrook Park Master Plan  
Garner, North Carolina  
FOR-18237**

Dear Mrs. Shaw:

We look forward to the opportunity to work with you and to provide master planning and design services for the above referenced project.

**PROJECT UNDERSTANDING:**

**Objectives:**

It is McAdams' understanding that the Town of Garner wishes to develop a conceptual master plan for Meadowbrook, a historically African American golf course purchased recently by the Town. It is also our understanding that the goal of the master plan is to transition the golf course into a public park. The following outlines the scope of services we propose to complete the conceptual design.

**Assumptions:**

This proposal is based on the following assumptions:

- > This proposal is for master planning services only. Other services offered by McAdams, including but not limited to, preparation of site-specific Civil Engineering and Landscape Architectural construction and permit documents can be provided under a separate agreement.
- > McAdams will work closely with Town of Garner staff within the Parks and Recreation Department to complete the plan. McAdams will be provided information necessary to complete the plan.
- > Access to Meadowbrook Park will be made available during the project via the Town of Garner Parks and Recreation Director.

- > Any additional consultants or services beyond those specifically indicated within the proposal will be additional.
- > Previously completed geotechnical reports, investigations and studies will be provided to McAdams by the Town.

### **PROPOSED SERVICES + FEES:**

We propose the following services (alphanumeric task numbers are for internal coding purposes):

#### **D11.00 Kick-Off + Existing Conditions:**

FEE: \$4,485

**Park History / Planning Perspective** - McAdams will coordinate with Town of Garner Parks, Recreation, and Cultural Resources (TGPRCR) and Planning Staff to understand the park’s history and regulatory context. As part of this process, we will review:

- > Documents or literature relating to the site’s history;
- > \*Applicable planning documents (land use plans, zoning ordinances, greenway master plans, comprehensive parks and recreation plan, demographics, etc.);
- > Previously completed site assessments and related studies; and
- > \*Other relevant planning documents, studies, or regulatory ordinances.

**Site Analysis** - McAdams will complete a site analysis, including \*one site visit to assess the existing physical, environmental, and aesthetic condition of the park to gain an understanding of the general context of the site (site access, adjacent land uses, proximity to other parks and civic uses, pedestrian connections, general character, etc.).

**Electronic Base Map Preparation** - This task includes preparation of an electronic base map (GIS data to be provided by the Town of Garner) to reflect existing conditions such as existing land uses, zoning, utilities, property limits, natural features, and sensitive environments (wetlands, streams, floodways / floodplain), adjacent roads, easements, utilities, site access, topography, existing structures, paving, etc.

**Site Suitability Study** – Based on the site analysis and based data collected, the project team will provide a site suitability study to evaluate which areas of the site are most suitable for various intensities of development. The site suitability study will inform the appropriate location of park program elements and amenities.

**A4.20 Preliminary Wetland / Stream Assessment:**

FEE: \$3,000

(for use in the PARTF Grant Application – see Allowances below). McAdams will conduct a preliminary assessment of the proposed project location for jurisdictional waters of the U.S. The site will be traversed on foot and the soils, vegetation, and hydrology will be evaluated and potential wetland areas examined by procedures described in the 1987 Corps of Engineers Wetland Delineation Manual and Appropriate Regional Supplements. Our team will evaluate the extent of streams subject to the Neuse River Riparian Buffer Rules. Since this is a preliminary assessment of jurisdictional waters, the only the start of the stream channels subject to Neuse Buffers will be flagged, however, approximate locations of streams and wetlands will be located with hand-held GPS devices. The end-product will include a digitized map showing the approximate location of any jurisdictional areas, referenced above.

**A4.30 Endangered Species Assessment:**

FEE: \$1,200

McAdams will conduct a threatened and endangered species assessment of the project area for Federally Listed Threatened and Endangered Species. The property will be traversed on foot to examine potential habitat and biotic communities which may indicate the presence of the listed species. Visual observations of actual species will be noted, if found. Biological conclusion/opinions will be rendered based on the field examination. The end product will include a report/correspondence submitted to US Fish and Wildlife Service requesting concurrence and comment (for use in PARTF grant applications).

**A4.41 Phase I Cultural Resource Assessment:**

FEE: \$1,200

A cultural resource literature review of the North Carolina State Historic Preservation Office (SHPO) National Registry records will be conducted to determine if there are any recorded archeological sites, historic structures, cemeteries, or historic properties within the project area and/or within 0.25 miles of the project boundary. The project area will be traversed on foot to assess the potential presence of cultural resources. The end product will include a report/concurrence submitted to SHPO requesting concurrence and comment (for use in PARTF grant applications).

**A4.10 Preliminary Stormwater Management Analysis:**

FEE: \$2,070

McAdams will perform a master planning level assessment and due diligence for all stormwater requirements for the park renovations. Based on the desired improvements, McAdams will calculate preliminary impervious percentages for the selected conceptual design, including preliminary stormwater

management facility sizing for peak flow rate and/or water quality SCM's based on the Town of Garner's stormwater development requirements, water supply watershed regulations and any increases in impervious percentage for the site.

**A6.10 Preliminary Utility Review:**

FEE: \$750

Our team will provide a preliminary review of existing civil utilities for the property. The review will include desktop review of publicly available design, as-built, or system network information provided to McAdams for potable water, fire protection, storm drain, and sanitary sewer. No capacity analysis or modeling will be provided as part of this analysis.

**D11.45 Community Engagement / Needs Assessment:**

ORIGINAL FEE: \$8,250

REVISED FEE: \$12,330

Our overall approach to the needs assessment and community engagement will be to leverage the results of the Parks + Recreation Comprehensive Plan planning process as well as combine community input meetings where appropriate to minimize scope redundancies. The community engagement scope that will include the following meetings:

- > 2 Public Open Houses
- > 2 Parks + Recreation Advisory Board Meetings
- > Adjacent Neighborhood Meeting
- > Public Opinion Survey

**Two (2) Public Open Houses** - McAdams will facilitate two public engagement workshops (event advertising and venue provided by the Town) throughout the design process. The format of the workshop will be determined collaboratively by design team and TGPRCR staff, but will be all-inclusive, transparent, and engaging.

This proposal recommends the two workshops take place during the following key project milestones:

- > Initial community engagement workshop to solicit input on proposed park program elements and amenities, park character, and perceived recreation needs.
- > Presentation of the master plan for feedback and comment.

Techniques McAdams staff have proven successful on past projects include: design charrettes, mapping workshops, power point presentations, "design your own park" workshops, GIS stations, "Councilman /

Woman for a Day,” presentation of google-earth fly-throughs and 3D photomontages, “less and more” activities, SWOT analysis, visual preference surveys, and survey questionnaires.

McAdams will provide meeting minutes and documentation of the workshop adequate to meet a PARTF grant application requirements.

**Two (2) Parks + Recreation Advisory Board Meetings** – The design team will attend up to two Parks + Recreation Advisory Board Meetings to solicit information regarding park preferences, and present the draft master plan.

**Adjacent Neighborhood Meeting** - The design team will facilitate one design charette specifically for residents of adjacent neighborhoods, or property owners within +/- 200 feet of the park.

**Public Opinion Survey** - The project team will rely heavily on the scientific survey prepared as part of the most recent Parks + Recreation Comprehensive Plan. In addition to those results, the team will prepare and facilitate a public opinion survey to further solicit input regarding park preferences related specifically to Meadowbrook Park. The survey will be administered via free on-line software, such as Survey Monkey.

**D11.10 Visioning Session:**

FEE: \$4,500

The project team will facilitate a half day visioning session with park stakeholders (to be identified by the Town). The visioning session will synthesize information collected through the site analysis and community engagement process to develop preliminary design ideas and an overall “vision” for the park. The visioning session will be in a charette format, intended to engage participants and develop innovative and thoughtful design solutions informed by site and budget realities, in a collaborative way.

**D11.15 Conceptual Design Alternatives:**

FEE: \$12,750

Based on information gathered from the site analysis, coordination with TGPRCR Staff, public input, and outcomes of the visioning session, McAdams will develop up to two preliminary concept plans for review by Town staff. The concept plans will depict the overall design concept, active and passive recreation elements, location of amenities, vehicular and pedestrian circulation, parking, landscaping, accessibility, site history, and overall park character defined by materiality, site furnishings, and way finding signage.

The two concept plans will be presented to staff for comment and discussion. Town staff shall select one of the concepts for further refinement. The selected design concept will be further refined based on staff

comments, resulting in a final master plan conceptual design. The final conceptual design will be presented in a plan view, 24" x 36" color graphic rendering.

**L11.10 Architecture:**

FEE: \$12,000

The project team will utilize outcomes of the Parks and Recreation Comprehensive Master Plan, site visit, community engagement and visioning session to develop a program for facility spaces and structures for the park. This will include identifying spatial needs and functions of proposed structures and buildings for the park. The project team will provide a summary of recommendations, square footage requirements based on the programming exercise for any new structures recommended and associated precedent images to assist in capturing the architectural style of the structures. Architectural renderings may be provided to enhance the overall design package and visual communication of the architectural elements. Such services are listed under Optional Services below.

**Deliverables include:**

- > A recommendation narrative for the overall architectural concept.
- > A space program for the facilities based on the public/owner/stakeholder feedback provided during the community engagement and visioning exercise.
- > Precedent images to assist in capturing the architectural style of the buildings/structures.

**D11.20 Final Master Plan:**

FEE: \$11,500

McAdams will prepare a final master plan document including the final master plan design and a summary of the process and findings/recommendations. At a minimum, the master plan will include a project overview (executive summary), park history and planning perspective, summary of the site analysis (including environmental findings and storm water requirements), summary of recreational needs based on documentation of the public workshop and stakeholder interviews, summary of the visioning session, discussion of concept alternatives (pros + cons), and narrative describing the final design solution.

This task will also include presentation at two Town Council Meetings (\$2,000) and 3D animations for use as marketing collateral for presentations to decisionmakers and the public (\$3,500).

**L11.20 Cost Estimate:**

FEE: \$4,400



The design team will provide a master plan level estimate of probable cost for the final master plan design. Our team of skilled cost estimators and extensive project experience has allowed us to develop a database of construction costs from which to draw.

**D11.25 — Service Provider / Operational Analysis + Pro Forma: Moved to Yeargan Property Master Plan**  
**FEE: ~~\$8,800~~ Credit: \$8,800**

**Service Provider Analysis** — The Project Team will analyze all major direct and indirect service providers. Direct and indirect service providers will be based on typical services/programs administered in similar parks. This data will be utilized to compare against the activities and programs identified for the park. An inventory of comparable facilities will be performed on a local basis to attempt to quantify market share. An analysis of competition will include: location, service offering, pricing and attraction. The analysis will inform the overall park program to promote niche amenities, minimize redundancies in recreation offerings, and enhance park success within the local market.

**Operational Standards** — The Project Team will establish operational standards and costs for the park based on set maintenance standards for the full operations. This will include hours of operation, maintenance standards, staffing levels needed, technology requirements, and customer service requirements based on established and agreed upon outcomes. After consultation with the staff, operational costs for the site will be finalized.

**Funding Options and Pro Forma** — The Project Team will identify best practices for funding and maintaining the site, including capital versus operations cost. Working with the Town, the Project Team will determine feasible methods for implementation of improvements, including sources of revenue, bonds, endowments, private foundations, etc. This will be converted into a five-year pro forma and operating budget. Funding options will be identified and evaluated against their potential support and success. These options will include a combination of partnerships and sponsorships, ancillary revenue generation opportunities, and other available resources.

<b>TASK</b>	<b>FEE</b>	<b>NOTES</b>
<b>Original Fee Total</b>	<b>\$74,905</b>	
Change Order #1	\$4,245	jurisdictional waters concurrence + cultural resources consultation
<b>Revised Total</b>	<b>\$79,150</b>	
Additional Charges	\$4,080	facilitate community engagement meetings
Credits	\$(8,800)	Operations + Proforma moved to Yeargan
<b>TOTAL REVISED CONTRACT AMOUNT</b>	<b>\$74,430</b>	

**Allowances:**

**D11.46 Additional Public Input or Meeting with Board or Commissioners:**

FEE: \$1,500

**Optional Services:**

**D11.80 Architectural Renderings:**

FEE: \$4,000, budgetary estimate.

**D11.85 Additional Design Concepts:**

FEE: \$2,000

**D11.90 PARTF Grant Application Preparation:**

FEE: \$10,000

The project team will prepare a PARTF grant application and provide all supporting documentation, estimates and exhibits. This task includes one on-site meeting with Town of Garner's RRS representative and required coordination calls.

**J. Additional Services:**

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

**K. Reimbursables:**

FEE: \$1,500, estimate.

Reimbursables will be billed in accordance with the attached Rate Schedule.

**EXCLUSIONS**

The following services are not included in this Agreement, but can be provided by McAdams, if desired, under a separate contract:

- > Site Survey;
- > Wetland and stream concurrence with U.S. Army Corp of Engineers;
- > Detailed Flood studies for local jurisdictions or FEMA;
- > Wetlands permitting, wetlands surveying (can be quoted separately if required);
- > Site engineering, structural, or electrical engineering, or landscape architecture construction documents (can be quoted separately);

- > Project scope increase or change;
- > Additional meetings/presentations beyond those detailed above;
- > Design beyond master plan level detailed above;
- > Signage design;
- > Structural engineering design or assessment services;
- > MEP or Fire Protection engineering design or assessment services;
- > Site/Civil engineering design or assessment services;
- > Specialized roofing consultant;
- > Maintenance plans;
- > Permitting;
- > Hazardous materials sampling, testing, design for building interiors;
- > Surveying and subsurface geotechnical field investigations or reports;
- > Fire flow readings and analysis;
- > Review agency fees;
- > Preliminary programming and cost analysis of additional building size or quantity than those listed above;
- > All other services not listed within the scope section above.

#### **DELIVERABLES**

- > One (1) electronic copy and one (1) hard copy (up to 36" x 42" size) of the final rendered concept plan.
- > One (1) electronic and one (1) hard copy of the master plan document including any site investigation reports and graphics.

#### **SCHEDULE**

The Firm's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. A more detailed schedule and list of mile stones may be coordinated directly with the Project Manager and Town of Garner.

The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm's work on the project that are not the sole responsibility of the Firm.

#### **OWNER'S RESPONSIBILITIES**

Owner shall be responsible for the following:

- > Notification to proceed / execution of contract.
- > Timely approval of sketches and draft reports presented for Owner approval.
- > Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove.

- > Notification of public meetings requiring McAdams' attendance.
- > Payment of invoices in accordance with Item 1 of Terms and Conditions.
- > Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions.

**GENERAL CONDITIONS**

- > The attached "Terms and Conditions" shall apply to this Agreement.
- > This proposal is valid for 30 days from the above date.
- > Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
- > Owner is responsible for all application and permit fees.

**CONCLUSION**

We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration. Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

**MCADAMS**

Rachel Cotter, RLA  
Assistant Director, Public Sector

RC/lgh

Enclosures

**ACCEPTANCE**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Yeargan Property Contract Update		
Location on Agenda: Old/New Business		
Department: PRCR		
Contact: Sonya Shaw, PRCR		
Presenter: McAdams- Consultants		
Brief Summary:  McAdams will present the master planning contract for Yeargan property. Phase I of the contract (Due Diligence) was previously approved 8/20/2019. Fees for Phase II of the contract (Master Planning) are \$37,215.		
Recommended Motion and/or Requested Action: Authorize Town Manager to sign contract.		
Detailed Notes:		
Funding Source: Parks Fee-in-Lieu		
Cost: \$37,215	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:	SS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

October 1, 2019

Mrs. Sonya Shaw  
Department Director  
Garner Parks, Recreation + Cultural Resources  
209 East Garner Road  
Garner, North Carolina 27529

**RE: Yeargan Property Park Master Plan  
Garner, North Carolina  
TOG-18020**

Dear Mrs. Shaw:

We look forward to the opportunity to work with you and to provide master planning and design services for the above referenced project.

**PROJECT UNDERSTANDING:**

**Objectives:**

It is McAdams' understanding that the Town of Garner wishes to develop a conceptual master plan for development of three tracks of land recently purchased by the Town for development into a park. The following outlines the scope of services we propose to complete the conceptual design.

This proposal includes scope and fee for project phases I and II. It is our understanding that the Town of Garner will sign and issue a notice to proceed for phase II at a later date.

**Assumptions:**

This proposal is based on the following assumptions:

- > This proposal is for master planning services only. Other services offered by McAdams, including but not limited to, preparation of site-specific Civil Engineering and Landscape Architectural construction and permit documents can be provided under a separate agreement.
- > McAdams will work closely with Town of Garner staff within the Parks and Recreation Department to complete the plan. McAdams will be provided information necessary to complete the plan.
- > Access to the property will be made available during the project via the Town of Garner Parks and Recreation Director.
- > Any additional consultants or services beyond those specifically indicated within the proposal will be additional.

- > Previously completed geotechnical reports, investigations and studies will be provided to McAdams by the Town.

## **PROPOSED SERVICES + FEES:**

We propose the following services (alphanumeric task numbers are for internal coding purposes):

### **PART I – DUE DILIGENCE**

#### **D11.00 Kick-Off + Existing Conditions:**

FEE: \$4,485

**Park History / Planning Perspective** - McAdams will coordinate with Town of Garner Parks, Recreation, and Cultural Resources (TGPRCR) and Planning Staff to understand the park's history and regulatory context. As part of this process, we will review:

- > Documents or literature relating to the site's history;
- > Applicable planning documents (land use plans, zoning ordinances, greenway master plans, comprehensive parks and recreation plan, demographics, etc.);
- > Previously completed site assessments and related studies; and
- > Other relevant planning documents, studies, or regulatory ordinances.

**Site Analysis** - McAdams will complete a site analysis, including one site visit to assess the existing physical, environmental, and aesthetic condition of the park to gain an understanding of the general context of the site (site access, adjacent land uses, proximity to other parks and civic uses, pedestrian connections, general character, etc.).

**Electronic Base Map Preparation** - This task includes preparation of an electronic base map (GIS data to be provided by the Town of Garner) to reflect existing conditions such as existing land uses, zoning, utilities, property limits, natural features, and sensitive environments (wetlands, streams, floodways / floodplain), adjacent roads, easements, utilities, site access, topography, existing structures, paving, etc.

**Site Suitability Study** – Based on the site analysis and based data collected, the project team will provide a site suitability study to evaluate which areas of the site are most suitable for various intensities of development. The site suitability study will inform the appropriate location of park program elements and amenities.

**A4.20 Preliminary Wetland / Stream Assessment:**

FEE: \$3,000

McAdams will conduct a preliminary assessment of the proposed project location for jurisdictional waters of the U.S. The site will be traversed on foot and the soils, vegetation, and hydrology will be evaluated and potential wetland areas examined by procedures described in the 1987 Corps of Engineers Wetland Delineation Manual and Appropriate Regional Supplements. Our team will evaluate the extent of streams subject to the Neuse River Riparian Buffer Rules. Since this is a preliminary assessment of jurisdictional waters, the only the start of the stream channels subject to Neuse Buffers will be flagged, however, approximate locations of streams and wetlands will be located with hand-held GPS devices. The end-product will include a digitized map showing the approximate location of any jurisdictional areas, referenced above. This task is best practice and required for PARTF grant applications.

**A4.30 Endangered Species Assessment:**

FEE: \$1,200

McAdams will conduct a threatened and endangered species assessment of the project area for Federally Listed Threatened and Endangered Species. The property will be traversed on foot to examine potential habitat and biotic communities which may indicate the presence of the listed species. Visual observations of actual species will be noted, if found. Biological conclusion/opinions will be rendered based on the field examination. The end product will include a report/correspondence submitted to US Fish and Wildlife Service requesting concurrence and comment. This task is best practice and required for PARTF grant applications.

**A4.41 Phase I Cultural Resource Assessment:**

FEE: \$1,200

A cultural resource literature review of the North Carolina State Historic Preservation Office (SHPO) National Registry records will be conducted to determine if there are any recorded archeological sites, historic structures, cemeteries, or historic properties within the project area and/or within 0.25 miles of the project boundary. The project area will be traversed on foot to assess the potential presence of cultural resources. The end product will include a report/concurrence submitted to SHPO requesting concurrence and comment. This task is best practice and required for PARTF grant applications.

**A4.10 Preliminary Stormwater Management Analysis:**

FEE: \$2,070

McAdams will perform a master planning level assessment and due diligence for all stormwater requirements for the park renovations. Based on the desired improvements, McAdams will calculate



preliminary impervious percentages for the selected conceptual design, including preliminary stormwater management facility sizing for peak flow rate and/or water quality SCM's based on the Town of Garner's stormwater development requirements, water supply watershed regulations and any increases in impervious percentage for the site.

**A6.10 Preliminary Utility Review:**

FEE: \$750

Our team will provide a preliminary review of existing civil utilities for the property. The review will include desktop review of publicly available design, as-built, or system network information provided to McAdams for potable water, fire protection, storm drain, and sanitary sewer. No capacity analysis or modeling will be provided as part of this analysis.

**Part I Deliverables:**

- > Electronic base map of existing conditions, opportunities and constraints;
- > Written summary of due diligence findings;
- > Written summary of stormwater due diligence findings
- > Written summary of findings from cultural resources, endangered species and jurisdictional waters assessment with associated maps;
- > Summary of any additional considerations to develop the site to its full capacity

**Subtotal Phase I: \$12,705**

**DELIVERABLES**

- > One (1) electronic and one (1) hard copy of the site investigation report and any related graphics.

**SCHEDULE**

The Firm's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. A more detailed schedule and list of milestones may be coordinated directly with the Project Manager and Town of Garner.

The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm's work on the project that are not the sole responsibility of the Firm.

## **OWNER'S RESPONSIBILITIES**

Owner shall be responsible for the following:

- > Notification to proceed / execution of contract.
- > Timely approval of sketches and draft reports presented for Owner approval.
- > Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove.
- > Notification of public meetings requiring McAdams' attendance.
- > Payment of invoices in accordance with Item 1 of Terms and Conditions.
- > Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions.

## **GENERAL CONDITIONS**

- > The attached "Terms and Conditions" shall apply to this Agreement.
- > This proposal is valid for 30 days from the above date.
- > Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
- > Owner is responsible for all application and permit fees.

## **CONCLUSION**

We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration. Please do not hesitate to contact me if you have any questions or comments.

## **ACCEPTANCE OF PART I**

TOWN APPROVAL:

Executed by Sonya Shaw and Rodney Dickerson on 9/3/19

Sonya Shaw

Parks and Recreation Director

Town of Garner

## **PART II – Site Master Plan**

### **D11.45 Community Engagement / Needs Assessment:**

FEE: \$2,505

Our overall approach to the needs assessment and community engagement will be to leverage the results of the Parks + Recreation Comprehensive Plan planning process as well as combine community input meetings where appropriate to minimize scope redundancies. The community engagement scope that will include the following meetings:

- > \*2 Public Open Houses
- > \*2 Parks + Recreation Advisory Board Meetings
- > \*1 Athletic Stakeholder Meeting
- > \*Public Opinion Survey

**Two (2) Public Open Houses** - McAdams will facilitate two public engagement workshops (event advertising and venue provided by the Town) throughout the design process. The format of the workshop will be determined collaboratively by design team and TGPRCR staff, but will be all-inclusive, transparent, and engaging.

This proposal recommends the two workshops take place during the following key project milestones:

- > Initial community engagement workshop to solicit input on proposed park program elements and amenities, park character, and perceived recreation needs.
- > Presentation of the master plan for feedback and comment.

Techniques McAdams staff have proven successful on past projects include: design charrettes, mapping workshops, power point presentations, “design your own park” workshops, GIS stations, “Councilman / Woman for a Day,” presentation of google-earth fly-throughs and 3D photomontages, “less and more” activities, SWOT analysis, visual preference surveys, and survey questionnaires.

McAdams will provide meeting minutes and documentation of the workshop adequate to meet a PARTF grant application requirements.

**Two (2) Parks + Recreation Advisory Board Meetings** – The design team will attend up to two Parks + Recreation Advisory Board Meetings to solicit information regarding park preferences and present the draft master plan.

**Athletic Stakeholder Meeting** – The design team will attend a meeting with Garner’s top athletic organizations to solicit information regarding park preferences and discuss needs and desires of the athletic organizations within the Town of Garner.

**Public Opinion Survey** - The project team will rely heavily on the scientific survey prepared as part of the most recent Parks + Recreation Comprehensive Plan. In addition to those results, the team will prepare and facilitate a public opinion survey to further solicit input regarding park preferences related specifically to the Yeargan property Park. The survey will be administered via free on-line software, such as Survey Monkey.

*\*Note: This fee is based on combining all public input meetings with those intended for Meadowbrook.*

- *Savings: \$9,825*

#### **D11.10 Visioning Session:**

FEE: \$1,500

The project team will facilitate a half day visioning session with park stakeholders (to be identified by the Town). The visioning session will synthesize information collected through the site analysis and community engagement process to develop preliminary design ideas and an overall “vision” for the park. The visioning session will be in a charette format, intended to engage participants and develop innovative and thoughtful design solutions informed by site and budget realities, in a collaborative way.

*This fee is based on combining the visioning session that for Meadowbrook.*

- *Savings: \$3,000*

#### **D11.15 Conceptual Design Alternatives:**

FEE: \$9,405

Based on information gathered from the site analysis, coordination with TGPRCR Staff, public input, and outcomes of the visioning session, McAdams will develop up to two preliminary concept plans for review by Town staff. The concept plans will depict the overall design concept, active and passive recreation elements, location of amenities, vehicular and pedestrian circulation, parking, landscaping, accessibility, site history, and overall park character defined by materiality, site furnishings, and way finding signage.

\*The two concept plans will be presented to staff for comment and discussion. Town staff shall select one of the concepts for further refinement. The selected design concept will be further refined based on staff comments, resulting in a final master plan conceptual design. The final conceptual design will be presented in a plan view, 24” x 36” color graphic rendering.

*\*Note: This fee assumes the presentation of design alternatives to staff will be combined with Meadowbrook.*

- *Savings: \$3,345*

**D11.20 Final Master Plan:**

FEE: \$10,605

McAdams will prepare a final master plan document including the final master plan design and a summary of the process and findings/recommendations. At a minimum, the master plan will include a project overview (executive summary), park history and planning perspective, summary of the site analysis (including environmental findings and storm water requirements), summary of recreational needs based on documentation of the public workshop and stakeholder interviews, summary of the visioning session, discussion of concept alternatives (pros + cons), and narrative describing the final design solution.

This task will also include presentation at two Town Council Meetings\* and 3D animations for use as marketing collateral for presentations to decisionmakers and the public (\$3,500).

*\*Note: This fee assumes the two presentations of the final master plan to Town Council will be combined with Meadowbrook.*

- *Savings: \$895*

**L11.20 Cost Estimate:**

FEE: \$4,400

The design team will provide a master plan level estimate of probable cost for the final master plan design. Our team of skilled cost estimators and extensive project experience has allowed us to develop a database of construction costs from which to draw.

**D11.25 Service Provider / Operational Analysis + Pro Forma:**

FEE: \$8,800

**Service Provider Analysis** – The Project Team will analyze all major direct and indirect service providers. Direct and indirect service providers will be based on typical services/programs administered in similar parks. This data will be utilized to compare against the activities and programs identified for the park. An inventory of comparable facilities will be performed on a local basis to attempt to quantify market share. An analysis of competition will include: location, service offering, pricing and attraction. The analysis will inform the overall park program to promote niche amenities, minimize redundancies in recreation offerings, and enhance park success within the local market.

**Operational Standards** – The Project Team will establish operational standards and costs for the park based on set maintenance standards for the full operations. This will include hours of operation, maintenance standards, staffing levels needed, technology requirements, and customer service

requirements based on established and agreed upon outcomes. After consultation with the staff, operational costs for the site will be finalized.

**Funding Options and Pro Forma** – The Project Team will identify best practices for funding and maintaining the site, including capital versus operations cost. Working with the Town, the Project Team will determine feasible methods for implementation of improvements, including sources of revenue, bonds, endowments, private foundations, etc. This will be converted into a five-year pro forma and operating budget. Funding options will be identified and evaluated against their potential support and success. These options will include a combination of partnerships and sponsorships, ancillary revenue generation opportunities, and other available resources.

**Subtotal Phase II: 37,215**

## **ACCEPTANCE OF PART II**

TOWN APPROVAL:

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Sonya Shaw  
Parks and Recreation Director  
Town of Garner

**Allowances:**

**D11.46 Additional Public Input or Meeting with Board or Commissioners:**

FEE: \$1,500

**Optional Services:**

**D11.85 Additional Design Concepts:**

FEE: \$2,000

**D11.90 PARTF Grant Application Preparation:**

FEE: \$10,000

The project team will prepare a PARTF grant application and provide all supporting documentation, estimates and exhibits. This task includes one on-site meeting with Town of Garner's RRS representative and required coordination calls.

**J. Additional Services:**

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

**K. Reimbursables:**

FEE: \$1,500, estimate.

Reimbursables will be billed in accordance with the attached Rate Schedule.

**EXCLUSIONS**

The following services are not included in this Agreement, but can be provided by McAdams, if desired, under a separate contract:

- > Site Survey;
- > Wetland and stream concurrence with U.S. Army Corp of Engineers;
- > Detailed Flood studies for local jurisdictions or FEMA;
- > Wetlands permitting, wetlands surveying (can be quoted separately if required);
- > Site engineering, structural, or electrical engineering, or landscape architecture construction documents (can be quoted separately);
- > Project scope increase or change;
- > Additional meetings/presentations beyond those detailed above;
- > Design beyond master plan level detailed above;
- > Signage design;
- > Architectural services

- > Structural engineering design or assessment services;
- > MEP or Fire Protection engineering design or assessment services;
- > Site/Civil engineering design or assessment services;
- > Specialized roofing consultant;
- > Maintenance plans;
- > Permitting;
- > Hazardous materials sampling, testing, design for building interiors;
- > Surveying and subsurface geotechnical field investigations or reports;
- > Fire flow readings and analysis;
- > Review agency fees;
- > Preliminary programming and cost analysis of additional building size or quantity than those listed above;
- > All other services not listed within the scope section above.

## **DELIVERABLES**

- > One (1) electronic copy and one (1) hard copy (up to 36" x 42" size) of the final rendered concept plan.
- > One (1) electronic and one (1) hard copy of the master plan document including any site investigation reports and graphics.

## **SCHEDULE**

The Firm's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. A more detailed schedule and list of milestones may be coordinated directly with the Project Manager and Town of Garner.

The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm's work on the project that are not the sole responsibility of the Firm.

## **OWNER'S RESPONSIBILITIES**

Owner shall be responsible for the following:

- > Notification to proceed / execution of contract.
- > Timely approval of sketches and draft reports presented for Owner approval.
- > Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove.
- > Notification of public meetings requiring McAdams' attendance.
- > Payment of invoices in accordance with Item 1 of Terms and Conditions.
- > Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions.



**GENERAL CONDITIONS**

- > The attached "Terms and Conditions" shall apply to this Agreement.
- > This proposal is valid for 30 days from the above date.
- > Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
- > Owner is responsible for all application and permit fees.

**CONCLUSION**

We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration. Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

**MCADAMS**



J. David Malcolm, RLA  
Director, Planning + Design

Enclosures

**ACCEPTANCE**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Depot and Caboose Relocation		
Location on Agenda: Old/New Business		
Department: Public Works		
Contact: Forrest Jones , Public Works Director		
Presenter: Forrest Jones, Public Works Director		
<b>Brief Summary:</b>  Public Works has received quotes to relocate the Depot and Caboose from current locations to the vacant lot adjacent to 110 Pearl St. Wolfe House & Building Movers submitted quotes to relocate both the Depot (\$34,125.00) and the Caboose (\$32,550.00) for a total of \$66,675.00.		
<b>Recommended Motion and/or Requested Action:</b> Award contract to Wolfe House & Building Movers to relocate the Depot and Caboose in the amount of \$66,675.00		
Detailed Notes:		
Funding Source:		
Project Fund		
Cost: \$66,675.00	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input 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:	FJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



(610) 488-1020

109/30/19

Mark Hale  
Town of Garner Public Works  
Facilities Manager  
900 Seventh Ave  
Garner, NC 27529

Reference: Relocation of Historical caboose 204 East Garner Road

We are pleased to submit the following proposal for the relocation of a overall 42' x 10' caboose. The town or towns contractor will remove any fasteners that may be holding the caboose down, disconnect all utilities from the caboose; handle all right of way issues, including but not limited to, power, telephone, cable, computer lines, stop lights, street lights. blue light escorts. The town will work with railroad issues. Wolfe will be available for questions.

Our loaded height will be approximately 20 feet to be confirmed when the crew starts work. The route will be 204 East Garner to right on New street to Right on E. Main street. East Main to just past Pearl street and turn in to the front of the lot. Turning in to the front is one less wire to handle. Wolfe will install a latticework of steel beams to support the caboose during the relocation process or we may use one of our industrial trailers. ( depending on weight calculation). We will lift the caboose with the Buckingham Unified Jacking System. This system facilities all jacks lifting in unison with equal amounts of extension. After lifting approximately six feet we will install the Buckingham self-Propelled Dolly System. This System facilitates keeping the caboose in current geometric plane during the relocation process. We will leave the caboose in a level position, roll the trucks in to position and lower the depot down on to the trucks. More discussion may be needed to determine final support. We are assuming tracks to be in place on a slab before work on the project begins.. Final plans to be reviewed before wok begins. You are placed on our schedule when contracts are signed and deposits made.

Our estimate includes all labor, equipment, material and proper insurance for the relocation process. The only insurance that covers the caboose during the relocation process is either a cargo or riggers endorsement attached to the Movers GL policy. Wolfe has a \$1.000.000.00 per occurrence of cargo attached to our General Liability policy.

Our estimate for relocation only is: \$32,550.00

Wolfe House Building Movers are innovators in the industry. our sister company, Buckingham equipment manufactures all the equipment that we use and markets to the rest of the industry. Wolfe has multiple third generation movers that work for the company. (including the owners)



(610) 488-1020

See: [wolfehousebuildingmovers.com](http://wolfehousebuildingmovers.com)  
[buckinghamequipment.com](http://buckinghamequipment.com)

We appreciate the opportunity of submitting this proposal and look forward to working with you on this project. There are forty of us waiting to give you the service that you deserve. Call with any questions. Let us know when you are ready for a contract.

Sincerely,

Wolfe House Building Movers By  
Mike Blake  
336-339-6746  
[mikeblake@wolfehousemovers.com](mailto:mikeblake@wolfehousemovers.com)



(610) 488-1020

109/30/19

Mark Hale  
Town of Garner Public Works  
Facilities Manager  
900 Seventh Ave  
Garner, NC 27529

Reference: Relocation of Historical depot 204 East Garner Road

We are pleased to submit the following proposal for the relocation of a overall 26'4" vs 48' depot plus eaves. The town or towns contractor will remove the deck, stairways, ramp, false chimney tops, disconnect all utilities from the depot; handle all right of way issues, including but not limited to, power, telephone, cable, computer lines, stop lights, crape myrtle trees ( up to 4 near lot), street lights. blue light escorts. The town will work with railroad issues. Wolfe will be available for questions.

Our loaded height will be approximately 26.5 feet to be confirmed when the crew starts work. The route will be 204 East Garner to right on New street to Right on E. Main street. East Main to just past Pearl street and turn in to the front of the lot. Turning in to the front is one less wire to handle. Wolfe will install a latticework of steel beams to support the depot during the relocation process. We will lift the depot with the Buckingham Unified Jacking System. This system facilities all jacks lifting in unison with equal amounts of extension. After lifting approximately six feet we will install the Buckingham self. - Propelled Dolly System. This System facilitates keeping the depot in current geometric plane during the relocation process. We will leave the depot in a level position over a footing that has been prepared by others. Generally on a older building, we leave the building at the exact height and the brick mason catches tight or tuck points the final joint. Using this method does not change the floor system . If the depot is going to be remodeled, consider sitting the depot down on a level foundation. Final plans to be reviewed before work begins. We allow 45 calendar days for foundation construction unless previous arrangements are made. You are place on our schedule when contracts are signed and deposits made. Our estimate includes all labor, equipment, material and proper insurance for the relocation process. The only insurance that covers the depot during the relocation process is either a cargo or riggers endorsement attached to the Movers GL policy. Wolfe has a \$1.000.000.00 per occurrence of cargo insurance.

Our estimate for relocation only is: \$34,125.00

Wolfe House Building Movers are innovators in the industry. our sister company, Buckingham equipment manufactures all the equipment that we use and markets to the rest of the industry. Wolfe has multiple third generation movers that work for the company. (including the owners)



(610) 488-1020

See: [wolfehousebuildingmovers.com](http://wolfehousebuildingmovers.com)  
[buckinghamequipment.com](http://buckinghamequipment.com)

We appreciate the opportunity of submitting this proposal and look forward to working with you on this project. There are forty of us waiting to give you the service that you deserve. Call with any questions. Let us know when you are ready for a contract.

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Depot Renovation Contract		
Location on Agenda: Old/New Business		
Department: Public Works		
Contact: Forrest Jones, Public Works Director		
Presenter: Forrest Jones, Public Works Director		
<p><b>Brief Summary:</b></p> <p>We have received quotes to perform repairs to exterior of the Depot, as well as digging the footings and installing the foundation. Total Construction submitted a quote in the amount of \$83,433.28.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Award a contract to Total Construction in the amount of \$83,433.28 to perform work outlined in quote 2624</p>		
Detailed Notes:		
Funding Source:		
Project Fund		
Cost: 83,433.28	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p> <p>Project is moving along at anticipated schedule and costs are in line with estimated costs.</p>		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	FJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**TOTAL CONSTRUCTION**

PO BOX 953

CLAYTON, NC 27528

9196257115

dale@totalconstructionnc.com

http://www.totalconstructionnc.com



# Estimate

**ADDRESS**

Town of Garner -

610 Rand Mill Rd.

Garner, NC 27529

**ESTIMATE # 2624**

**DATE 09/30/2019**

ACTIVITY	QTY	RATE	AMOUNT
Demo existing wood siding to studs. Install new insulation OSB, new house wrap, new wood siding and corner boards similar to the existing building.	1	32,045.76	32,045.76
Install new windows, doors and trim in all openings except the store front. All materials to be similar to the existing building.	1	16,736.76	16,736.76
Paint all trim, siding, doors and windows.	1	7,394.76	7,394.76
Light grading to prepare site for foundation	1	675.00	675.00
Dig and pour Pier and exterior footings per plan	1	9,770.00	9,770.00
Build Piers and exterior masonry walls up to 42" tall per plans	1	16,026.00	16,026.00
Back fill inside and out after inspection before structure	1	785.00	785.00

We look forward to working with you! Please let us know that you have received this estimate. In addition, do not hesitate to contact us should you have any questions or need to make changes.

**TOTAL**

**\$83,433.28**

Accepted By

Accepted Date



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Kennedy Ridge Re-Submittal Time Lapse Waiver Request		
Location on Agenda: Old/New Business		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<b>Brief Summary:</b>  Request submitted by Dan Ryan Builders in accordance with Article 3.12.H.5. regarding Town Council consideration of waiving the one-year time-lapse requirement in Article 3.12.H.4. The request would allow an application similar to CUP-SB-19-01, Kennedy Ridge Subdivision, to be submitted to the Planning Department prior to August 4, 2020.		
<b>Recommended Motion and/or Requested Action:</b> Motion to either grant or deny waiver.		
<b>Detailed Notes:</b> Waiver may only be granted by a 3/4-majority vote in the affirmative per Article 3.12.H.5. Formal request letter attached.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

*Right Where You Want to Be!*



*Better Value. Better Living.™*

Jeff Triezenberg  
Planning Director  
Town of Garner  
900 7<sup>th</sup> Ave.  
Garner, NC 27529

August 28<sup>th</sup>, 2019

Re: Request for Waiver of Time-lapse Period, Kennedy Ridge CUP-SB-19-01

Dear Jeff,

On August 4<sup>th</sup>, 2019 the request for the conditional rezoning and conditional use subdivision of 16.499 acres of property located on Creech Rd., Case # CUP-SB-19-01, known as the Kennedy Ridge Subdivision, was denied. We are respectfully requesting for a waiver to the time-lapse period and allow a submittal of a revised plan for your consideration.

The denial was due to non-compliance with the Town's Comprehensive Plan for gross density. Our project was submitted with a 5.57 du/a request, above the 5 du/a density maximum, however this was due to 5.009 acres of the property that was not included in the density calculation. Utilizing this density calculation, the project received Planning Staff's recommendation for approval and unanimous approval by the Planning Commission. With that support we did not believe this item would be of concern to the members of the Town Council. We hope that the town will grant this waiver and allow us to resubmit a plan increasing the development area to 13 acres, with the additional area going towards open space. This would reduce the project density to 4.92 du/a and bring it into compliance with the Comprehensive Plan.

Furthermore, after hearing neighbor concerns regarding building materials and streetscapes, we would also like to amend our voluntary zoning conditions to restrict the use of vinyl siding on the street facing building facades, and instead use fiber-cement board (e.g. Hardi-plank). Additionally, we will further enhance the Creech Rd. landscape buffer by adding a berm to the plans to add opacity to drive-by traffic.

We hope that with these revisions, the plan will be more in-line with the town's expectations for growth and development within Garner and will provide much needed housing options for the town.

Respectfully,

Jay Colvin

Land Acquisitions Manager – Dan Ryan Builders

[www.DANRYANBUILDERS.com](http://www.DANRYANBUILDERS.com)

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 7, 2019		
Subject: Pay & Class Vendor Selection		
Location on Agenda: Old/New Business		
Department: Human Resources		
Contact: BD Sechler		
Presenter: BD Sechler		
<b>Brief Summary:</b>  As requested, Human Resources has completed an analysis on a new vendor for the annual pay and class study and the one time compression analysis. Funds to pay for the study will come from expected lapsing salary and benefit savings in the Engineering and Public Works departments.		
<b>Recommended Motion and/or Requested Action:</b> Consider Adopting Ordinance (2019) 4009		
<b>Detailed Notes:</b> See attached summary document for information detailing the two bids which were submitted to the Town.		
Funding Source:		
Cost: \$41,400	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	BDS	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Pay & Class Vendor Analysis

Vendor	Kenning Consulting	Capital Associated Industries
Vendor Background	Based in Palm Springs, California, provides a full range of human resources consulting services including: classification, position leveling, board compensation, executive compensation, employee compensation, market surveys Strong reputation in North Carolina through our work with the State of North Carolina in a redesign of the classification and compensation plan for 63,000 State employees and our current project in the review and redesign of the classification and compensation plan for approximately 5,500 employees in Mecklenburg County	CAI's experts in human resources and people management help employers create exceptional work places to improve profitability, productivity and quality so that they can be more competitive. Our functional areas of expertise include direct and variable compensation, benefit design, employee relations, labor relations, change management, organizational development and compliance. Headquartered in Raleigh, NC, CAI is one of the largest and most respected Employers Association Groups in the US. Established in 1963, CAI has offices in Raleigh and Greensboro, NC and serves approximately 1,300 member companies
Pros	Has worked with State of NC and currently working with Mecklenburg County on same types of projects Can meet our project timelines Very responsive and interested in our business Same individuals each year	Local Known good reputation in community Established relationships to obtain market data Membership price discount
Cons	Not local More expensive of two options	"Cookie-Cutter" approach Had to follow up quite often on proposal May not be able to meet our timeframe Available staff
Cost Breakdown	On-Going Pay & Class - \$18,700 per year One-Time Compression Analysis - \$22,700 Fees are inclusive of directly related travel and ground expenses.	On-Going Pay & Class - \$14,600 per year One-Time Compression Analysis - \$12,500 Travel, if necessary, is billed at current IRS mileage rates from the Raleigh office of CAI
Recommendation	X	

ORDINANCE NO. (2019) 4009

ORDINANCE AMENDING ORDINANCE NO. (2019) 3982  
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:

**Increases:**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10423000-524300	Contract Services		\$ 34,302	\$ 35,400	\$ 69,702

TOTAL INCREASES \$ 35,400.00

**Decreases:**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10481000-510200	Salaries		\$ 508,149	\$ (25,000)	\$ 483,149
10561000-510200	Salaries		\$ 661,362	\$ (10,400)	\$ 650,962

TOTAL (DECREASES) \$ (35,400.00)

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 7th day of October, 2019.

\_\_\_\_\_  
Ronnie S. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Stella L. Gibson, Town Clerk



**MEMORANDUM**

To: Rodney Dickerson, Town Manager  
From: BD Sechler, Human Resources Director  
Date: October 2, 2019  
Re: Pay and Classification

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Each year, the Town, through the Human Resources Department conducts a review of job descriptions and current pay practices as compared to the marketplace. In an effort to control costs and properly manage our resources, one-third of the Town's positions are reviewed each year. Over a three-year cycle, all Town positions plus Fire Department positions are reviewed.

The Town has utilized the same vendor for a number of years. Town Council asked Human Resources to source another vendor to conduct the pay and class studies. In addition, Town Council asked Human Resources to complete a compression or equity analysis. The compression analysis reviews current salaries for each staff member to ensure pay equity. Compression can occur when the market rates for positions (external to the organization) outpace the historical increases (merit or otherwise) given to staff members internal to the organization.

The Human Resources Department requested bids from three different vendors to complete the annual and on-going pay and classification analysis as well as complete the one-time compression analysis. The three vendors asked to bid on these projects were: Capital Associated Industries (CAI), our local employer association, Kenning Consulting, a compensation firm out of California and Springsted, a national compensation organization.

Formal bids were received from two of the vendors, CAI and Kenning Consulting. Attached is a summary document that outlines the two bids and compares several key aspects of the bids submitted. A recommendation for which vendor to select is also included.

Please let me know if you have questions or would like to discuss further.

# Reports



**PUBLICSTUFF**

**garner info**

**BOARD REPORT**



Id	Title	Description	Current Status	Address	Date Created
5909573	Pipe and Storm Drain Maintenance	gutter drain is clogged with leaves	In Progress	Towne View Trail	4/18/19
6401179	Streetlight Problem	Streetlight is turned into the tree and the tree has overgrown the light, making a dark spot in the street.	In Progress	253 Timber Dr	7/11/19
6535279	Misc. - Streets	Abandoned Ram truck / Alabama plates right past grocery boy jr on Meadowbrook	Received	902 Meadowbrook Dr	8/3/19
6606045	Playground Problem	Rope climbing structure is breaking and there's exposed metal	In Progress	Lake Benson Park, 921 Buffaloe Rd	8/15/19
6659622	Misc. - Parks / Town Property	The hand dryer in the men's restroom does not work. It's the rest rooms on the big side not with the nature center.	In Progress	White Deer Park Nature Center, 2400 Aversboro Rd	8/25/19
6697999	Trim Vegetation	The dead tree is adjacent/behind our townhomes subdivision and has started to drop large limbs. The tree is over 100 ft tall and with the upcoming hurricane winds, we are all anxious. The tree is on Town of Garner's property, not a resident's property so we can't remove it.	In Progress		9/1/19
6700116	Playground Problem	This slide needs a good power washing.	In Progress	2458 Aversboro Rd	9/2/19
6700168	Playground Problem	When is this playground scheduled to be repaired?	In Progress	2458 Aversboro Rd	9/2/19
6716390	Zoning Use	property being used for car sales for weeks	Submitted	881 US-70	9/4/19
6731480	Playground Problem	Toy excavator broken	In Progress	301 E Garner Rd	9/7/19

6746552	Yard Waste/ Loose Leaves	<p>The owner has been piling limbs, branches and sticks up around the base of numerous trees in the yard for over a year (front and back yard). The piles are as high as 3 feet. It appears to be attracting unwanted &amp; dangerous wildlife, as well as being unsightly and unnecessary since the town picks up yard waste. I feel this is creating a dangerous situation. My yard has had repeated visits by a fox that when last seen was acting extremely strangely. Within the next 2 days a rabid fox was reportedly caught within about a mile of here. We never saw that fox again. Now we have had a coyote in the back yard (making the scariest noises I've ever heard). And most recently a very healthy groundhog is also making repeated appearances. Now, the people at the rental house at 508 St. Mary's St., has piled the same kind of debris along the fence they share with this house, at the back side of their lot. This pile was originally over 4 feet tall but has now compacted to about 3 feet. It has multiple holes made by animals that seem to be nesting or hiding in the pile. Please have them remove the yard waste from their yards.</p>	In Progress	513 Hilltop Ave	9/10/19
6746686	Yard Waste/ Loose Leaves	<p>CORRECTION: I just submitted a complaint about the piles of limbs at this address. I mentioned an adjacent yard and noted it's address incorrectly as 508. It is actually 608 St Marys St, Garner. Also, please link my contact information from this to my original complaint if you can. I would like to be able to follow the progress.</p>	In Progress	513 Hilltop Ave	9/10/19

6746886	Yard Waste/ Loose Leaves	For months limbs have been piled 4 feet high at back side corner of property by the fence adjacent to 513 Hilltop Ave. As they have settled and animals have crawled and nested in them the limb pile is probably down to 3 plus feet. They piled these limbs here immediately prior to the Fall 2018 Unprepared Yard Waste Pick-up. They may think this is okay because they have seen the adjacent property at 513 Hilltop Ave. doing this. But we are having a problem with foxes, coyotes and now a groundhog. I would like the limbs to be disposed of as I feel they are a danger to the community by drawing dangerous animals here. I mentioned this property in prior complaints #6746552 and 6746686.	In Progress	608 Hilltop Ave	9/10/19
6747008	Yard Waste/ Loose Leaves	Limbs piled 3-4 feet high around the base of a large pecan tree at the back of the property, close to the street (Circle Dr.) and near the adjacent property line of 405 Hilltop Ave. I am concerned that this is contributing to repeated sightings of foxes and coyotes in the neighborhood which is a dangerous situation.	In Progress	500 St Marys St	9/10/19
6812443	Trash/Solid Waste (Private Property)	At intersection with Drumbuie Place.	Received	Poole Dr	9/22/19
6812455	Misc. - Streets	Yard waste needs to be picked up, at intersection with Rhum PL.	Received	Poole Dr	9/22/19
6839754	Trim Vegetation	This is leaving the Walgreens (on Hwy 70), onto Loop Rd. The vegetation is blocking oncoming traffic.	In Progress		9/26/19
6854790	Misc. - Streets	junk vehicle parked at the street	Submitted	900 Buckingham Rd	9/30/19
6861964	Junk Vehicle (Private Property)	junk vehicle in driveway hasn't been moved in years and is never covered. vehicle in street has had flat tire and hasn't been moved in a month or two, at least.	Submitted	146 Parkhaven Ln	10/1/19
6867097	Temporary Sign Violation	At Aversboro and Claymore on southbound side. Illegally placed—too close to street	Submitted	927 Claymore Dr	10/2/19

6870898	Streetlight Problem	All the small black lamp lights are out, they may come on for a minute then stay out all night	Submitted	208 E Main St	10/3/19
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**TO:** Honorable Mayor and Members of the Town Council

**FROM:** Gaby Lontos-Lawlor, Senior Planner – Transportation

**SUBJECT:** ***NCDOT Projects Update***

**DATE:** October 1, 2019

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### Preliminary Engineering Project Suspension

The North Carolina Department of Transportation (NCDOT) has issued a temporary suspension of 900 preliminary engineering projects – effective August 30, 2019. This suspension does *not* affect the following: projects currently awarded for construction, scheduled to be awarded for construction in the next 12 months, or projects currently under construction; projects funded with GARVEE bonds, BUILD NC bonds, or Federal grants.

The impetus behind the temporary suspension is an effort to maintain the minimum cash balance established by law. These steps are necessary due to the impact of recovery efforts from Hurricane Florence and Michael, other natural disasters, as well as settlement expenses related to Map Act cases.

Once the cash balance stabilizes, NCDOT will resume preliminary engineering on the suspended projects. At this time, it is not certain when that will be, however, there have been estimates that the project suspension could last 6 months.

There is a total of 7 projects within the Town of Garner limits that have been placed on temporary suspension. These projects have been listed in **Table 1**.

### 2020-2029 State Transportation Improvement Plan

In addition to the temporary suspension of preliminary engineering projects, adjustments were made to project schedules in the 2020-2029 State Transportation Improvement Plan (STIP). Like the project suspension, these revisions were made to assist in the effort to stabilize the Department’s cash balance. The updated STIP includes schedule changes to 4 projects within Town limits, shown in **Table 2**.

**Table 1. NCDOT Preliminary Engineering Projects on Temporary Suspension Affecting the Town of Garner**

DIV	COUNTY	PROJECT ID	ROUTE	DESCRIPTION	CHANGE
5	WAKE	P-5738	North Carolina Railroad/Norfolk Southern H Line	SR 2713 (VANDORA SPRINGS ROAD) IN GARNER. CONSTRUCT GRADE SEPARATION AND CLOSE CROSSING 735324J.	<b>ROW</b> in FY 2026 <b>C</b> in FY 2028
5	WAKE	U-6112	US 401	SR 1010 (TEN-TEN ROAD). CONVERT EXISTING SIGNALIZED INTERSECTION TO SQUARE-LOOP INTERCHANGE.	<b>ROW</b> in FY 2025 <b>C</b> in FY 2029
5	WAKE	B-5681	SR 2713 (Vandora Springs Rd)	REPLACE BRIDGE 258 OVER US 70 IN GARNER.	<b>LET</b> → 4/2022
5	WAKE	U-6194	Various	VARIOUS, GARNER CITYWIDE SIGNAL SYSTEM	<b>C</b> FY 2026 → <b>UNKNOWN DATE</b>
5	WAKE	U-5744	US 70/NC 50	SR 2026 (HAMMOND ROAD)/SR 2812 (TIMBER DRIVE) IN GARNER. CONVERT AT-GRADE INTERSECTION TO INTERCHANGE.	<b>ROW</b> FY 2019 → <b>FY 2023</b> <b>C</b> FY 2021 → <b>FY 2024</b>
5	WAKE	R-2829	New route (Future NC 540)	EASTERN WAKE FREEWAY/TRIANGLE EXPRESSWAY SOUTHEAST EXTENSION (RALEIGH OUTER LOOP), I-40 TO US 64/US264 BYPASS. FREEWAY ON NEW LOCATION.	<b>ROW</b> FY 2028 → <b>FY 2029</b> <b>C</b> FY 2028 → <b>FY 2029</b>
5	WAKE	B-4654	NC 50 (Benson Rd)	REPLACE BRIDGE 910069 OVER US 70 IN GARNER.	<b>LET</b> → 1/2021

<b>ROW</b>	Right of Way
<b>C</b>	Construction

**Table 2. Revised Project Schedules in 2020-2029 STIP Affecting the Town of Garner**

DIV	COUNTY	PROJECT ID	ROUTE	DESCRIPTION	CHANGE
5	WAKE	U-6116	US 401	SR 1375 (SIMPKINS ROAD) TO SR 2538 (MECHANICAL BOULEVARD) IN GARNER. WIDEN TO 6 LANES AND CONVERT TO SUPERSTREET.	<b>ROW</b> FY 2027 → <b>FY 2029</b>
5	Wake	U-6101	I-40; I-87; I-440; US 1 / US 64	<b>I-40 FROM SR 1728 (WADE AVENUE) TO NC 42, I-440, I-87 FROM I-40 TO I-540, US 1 FROM NC 540 TO I-40. CONVERT FACILITIES TO MANAGED FREEWAYS, TO INCLUDE RAMP METERING.</b>	<b>C</b> FY 2028 → <b>FY 2029</b>
5	WAKE	B-5326	SR 2555 (Raynor Rd)	REPLACE BRIDGE 910247 OVER WHITE OAK CREEK IN GARNER.	<b>LET</b> → <b>2/2020</b>
5	WAKE	U-5302	US 401	SOUTH OF SR 1006 (OLD STAGE RD) TO SOUTH OF SR 2538 (MECHANICAL BLVD)/GARNER STATION BOULEVARD IN GARNER. CONVERT TO SUPERSTREET.	<b>LET</b> → <b>3/2020</b>

<b>ROW</b>	Right of Way
<b>C</b>	Construction

<b>Permit #:</b>	2190265	<b>Inside Town Limits</b>	Yes
<b>Issue date:</b>	9/30/2019	<b>Census tract:</b>	<b>PIN#:</b> 1701-17-9650
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$567,000.00
<b>PropAddress:</b>	4250 FAYETTEVILLE ROAD		
<b>Owner's</b>	AUTOZONE DEVELOPMENT LLC	<b>Owner's Phone:</b>	901-495-8753
<b>Contractor</b>	HJB CONSTRUCTION INC	<b>Contractor's Phone:</b>	843-853-6801
<b>Type of Improvement:</b>	Alteration	<b>Proposed Use</b>	MERCANTILE/RETAIL
<b>Permit #:</b>	2190963	<b>Inside Town Limits</b>	Yes
<b>Issue date:</b>	9/24/2019	<b>Census tract:</b>	<b>PIN#:</b> 1619-87-9144
<b>Lot#:</b>	30	<b>Subdivision:</b> GLENS AT BETHEL	<b>Total cost:</b> \$402,000.00
<b>PropAddress:</b>	257 VALLEYCRUISE CIRCLE		
<b>Owner's</b>	SOUTHERN TRADITION CONSTRUCTION	<b>Owner's Phone:</b>	919-710-2350
<b>Contractor</b>	SOUTHERN TRADITIONS CONSTRUCTIO	<b>Contractor's Phone:</b>	919-538-2741
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191054	<b>Inside Town Limits</b>	Yes
<b>Issue date:</b>	9/16/2019	<b>Census tract:</b>	<b>PIN#:</b> 1701-17-8044
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$348,421.70
<b>PropAddress:</b>	4412 FAYETTEVILLE ROAD		
<b>Owner's</b>	PAUL CAMPBELL	<b>Owner's Phone:</b>	917-407-8711
<b>Contractor</b>	APR RESTORATION AND COMMERCIAL	<b>Contractor's Phone:</b>	919-888-9008
<b>Type of Improvement:</b>	Alteration	<b>Proposed Use</b>	RESTAURANT
<b>Permit #:</b>	2191078	<b>Inside Town Limits</b>	No
<b>Issue date:</b>	9/20/2019	<b>Census tract:</b>	<b>PIN#:</b> 1730-93-7749
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$9,729,212.00
<b>PropAddress:</b>	2301 US HIGHWAY 70 EAST		
<b>Owner's</b>	GARNER INDUSTRIAL	<b>Owner's Phone:</b>	513-271-6400
<b>Contractor</b>	AL NEYER, LLC	<b>Contractor's Phone:</b>	513-271-6400
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	STORAGE/WAREHOUSE
<b>Permit #:</b>	2191115	<b>Inside Town Limits</b>	Yes
<b>Issue date:</b>	9/13/2019	<b>Census tract:</b>	<b>PIN#:</b> 1720-78-6777
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$173,967.18
<b>PropAddress:</b>	1035 NORTH GREENFIELD PKWY		
<b>Owner's</b>	PARTWERX	<b>Owner's Phone:</b>	919-427-0811
<b>Contractor</b>	TRIANGLE QUALITY MAINTENANCE	<b>Contractor's Phone:</b>	919-464-3222
<b>Type of Improvement:</b>	Alteration	<b>Proposed Use</b>	STORAGE/WAREHOUSE



<b>Permit #:</b>	2191121	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/4/2019	<b>Census tract:</b>	<b>PIN#:</b> 1731-50-3951
<b>Lot#:</b>		<b>Subdivision:</b> AUBURN VILLAGE	<b>Total cost:</b> \$305,655.00
<b>PropAddress:</b>	0 AUBURN KNIGHTDALE RAOD		
<b>Owner's</b>	CALATLANTIC GROUP INC	<b>Owner's Phone:</b>	919-465-5940
<b>Contractor</b>	BLACKLEAF INC	<b>Contractor's Phone:</b>	919-625-7293
<b>Type of Improvement:</b>	New Structure	<b>Proposed Use</b>	RETAINING WALL
<b>Permit #:</b>	2191130	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-24-1914
<b>Lot#:</b>	34	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$152,246.00
<b>PropAddress:</b>	130 SAMBAR DEER LANE		
<b>Owner's</b>	D.R HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191131	<b>Inside Town Limits</b> No	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1731-12-5396
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$135,485.00
<b>PropAddress:</b>	4841 AUBURN CHURCH ROAD		
<b>Owner's</b>	CYNTHIA GREENE	<b>Owner's Phone:</b>	919-696-8136
<b>Contractor</b>	NORMANS INSTALLATION CO	<b>Contractor's Phone:</b>	919-738-1939
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	MANUFACTURED HOME
<b>Permit #:</b>	2191132	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-15-3659
<b>Lot#:</b>	82	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$131,235.00
<b>PropAddress:</b>	272 AXIS DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191133	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-14-7933
<b>Lot#:</b>	29	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$143,560.00
<b>PropAddress:</b>	110 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN

<b>Permit #:</b>	2191134	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-24-2934
<b>Lot#:</b>	36	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$131,235.00
<b>PropAddress:</b>	138 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191135	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-15-9185
<b>Lot#:</b>	39	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$165,800.00
<b>PropAddress:</b>	125 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191136	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-15-1755
<b>Lot#:</b>	108	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$152,246.00
<b>PropAddress:</b>	259 AXIS DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191137	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-25-0144
<b>Lot#:</b>	38	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$165,549.00
<b>PropAddress:</b>	129 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191140	<b>Inside Town Limits</b> No	
<b>Issue date:</b>	9/3/2019	<b>Census tract:</b>	<b>PIN#:</b>
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$125,625.00
<b>PropAddress:</b>	215 GIPSON DRIVE		
<b>Owner's</b>	DELORES ASBURY	<b>Owner's Phone:</b>	919-616-6761
<b>Contractor</b>	CARY RECONSTRUCTION COMPANY	<b>Contractor's Phone:</b>	919-467-5517
<b>Type of Improvement:</b>	Repair	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN

<b>Permit #:</b>	2191160	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/12/2019	<b>Census tract:</b>	<b>PIN#:</b> 1619-91-6678
<b>Lot#:</b>	92	<b>Subdivision:</b> OAK PARK	<b>Total cost:</b> \$129,554.00
<b>PropAddress:</b>	141 EDMER LANE		
<b>Owner's</b>	ROYAL OAKS BUILDING GROUP LLC	<b>Owner's Phone:</b>	919-233-3886
<b>Contractor</b>	ROYAL OAKS BUILDING GROUP, LLC	<b>Contractor's Phone:</b>	919-233-3886
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191170	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/12/2019	<b>Census tract:</b>	<b>PIN#:</b> 1619-91-5922
<b>Lot#:</b>	28	<b>Subdivision:</b> OAK PARK	<b>Total cost:</b> \$161,239.00
<b>PropAddress:</b>	128 EDMER LANE		
<b>Owner's</b>	ROYAL OAKS BUILDING GROUP, LLC	<b>Owner's Phone:</b>	919-233-3886
<b>Contractor</b>	ROYAL OAKS BUILDING GROUP, LLC	<b>Contractor's Phone:</b>	919-233-3886
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191183	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/17/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-14-8954
<b>Lot#:</b>	31	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$165,800.00
<b>PropAddress:</b>	118 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191186	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/17/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-14-7994
<b>Lot#:</b>	30	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$143,560.00
<b>PropAddress:</b>	114 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191187	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/17/2019	<b>Census tract:</b>	<b>PIN#:</b> 1629-24-1974
<b>Lot#:</b>	35	<b>Subdivision:</b> CLIFFORD GROVE	<b>Total cost:</b> \$142,202.00
<b>PropAddress:</b>	134 SAMBAR DEER LANE		
<b>Owner's</b>	D.R. HORTON INC	<b>Owner's Phone:</b>	919-407-2037
<b>Contractor</b>	D.R. HORTON, INC.	<b>Contractor's Phone:</b>	919-407-2037
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN

<b>Permit #:</b>	2191191	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/19/2019	<b>Census tract:</b>	<b>PIN#:</b> 1619-91-5816
<b>Lot#:</b>	29	<b>Subdivision:</b> OAK PARK	<b>Total cost:</b> \$164,340.00
<b>PropAddress:</b>	132 EDMER LANE		
<b>Owner's</b>	ROYAL OAKS BUILDING GROUP	<b>Owner's Phone:</b>	919-233-3886
<b>Contractor</b>	ROYAL OAKS BUILDING GROUP, LLC	<b>Contractor's Phone:</b>	919-233-3886
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191195	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/16/2019	<b>Census tract:</b>	<b>PIN#:</b>
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$354,000.00
<b>PropAddress:</b>	106 PEARL STREET		
<b>Owner's</b>	TOWN OF GARNER	<b>Owner's Phone:</b>	919-773-4401
<b>Contractor</b>	TOWN OF GARNER	<b>Contractor's Phone:</b>	919-772-7600
<b>Type of Improvement:</b>	Alteration	<b>Proposed Use</b>	BUSINESS/OFFICE
<b>Permit #:</b>	2191207	<b>Inside Town Limits</b> No	
<b>Issue date:</b>	9/30/2019	<b>Census tract:</b>	<b>PIN#:</b> 1700-45-9940
<b>Lot#:</b>		<b>Subdivision:</b> N/A	<b>Total cost:</b> \$128,895.00
<b>PropAddress:</b>	2302 1/2 VANDORA SPRINGS ROAD		
<b>Owner's</b>	JULIE STARLING	<b>Owner's Phone:</b>	
<b>Contractor</b>	RAYNOR BUILDERS, INC.	<b>Contractor's Phone:</b>	919-639-3012
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191210	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/20/2019	<b>Census tract:</b>	<b>PIN#:</b> 0699-15-1948
<b>Lot#:</b>	77	<b>Subdivision:</b> MCCULLERS WALK	<b>Total cost:</b> \$185,055.00
<b>PropAddress:</b>	171 AMBER ACORN AVE		
<b>Owner's</b>	HALLE BUILDING GROUP	<b>Owner's Phone:</b>	919-387-1885
<b>Contractor</b>	RYAN HOMES	<b>Contractor's Phone:</b>	703-956-4000
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN
<b>Permit #:</b>	2191220	<b>Inside Town Limits</b> Yes	
<b>Issue date:</b>	9/24/2019	<b>Census tract:</b>	<b>PIN#:</b> 0699-15-1990
<b>Lot#:</b>	76	<b>Subdivision:</b> MCCULLERS WALK	<b>Total cost:</b> \$180,013.00
<b>PropAddress:</b>	177 AMBER ACORN AVE		
<b>Owner's</b>	HALLE	<b>Owner's Phone:</b>	919-387-1886
<b>Contractor</b>	RYAN HOMES	<b>Contractor's Phone:</b>	703-956-4000
<b>Type of Improvement:</b>	New Building	<b>Proposed Use</b>	SINGLE FAMILY DWELLIN

**Building Activity by Type and Proposed Use for  
Report Beginning: 09/01/2019 to Report Ending: 09/30/2019**

**Addition**

<b>Proposed Use</b>	<b>Number of Units</b>	<b>Construction Value</b>	<b>Intown Value</b>
COLLOCATION TOWER	1	\$18.10	\$0.00
GARAGE ATTACHED	1	\$24,500.00	\$24,500.00
SCREENED PORCH	2	\$49,200.00	\$49,200.00
SINGLE FAMILY DWELLIN	2	\$49,500.00	\$0.00
<b>Total</b>	<b>6</b>	<b>\$123,218.10</b>	<b>\$73,700.00</b>

**Alteration**

<b>Proposed Use</b>	<b>Number of Units</b>	<b>Construction Value</b>	<b>Intown Value</b>
BUSINESS/OFFICE	3	\$356,650.00	\$356,650.00
COLLOCATION TOWER	1	\$25,000.00	\$25,000.00
MERCANTILE/RETAIL	3	\$567,400.00	\$567,400.00
RESTAURANT	1	\$348,421.70	\$348,421.70
SINGLE FAMILY DWELLIN	3	\$13,900.00	\$13,900.00
SOLAR SYSTEM (RES)	2	\$51,768.00	\$51,768.00
STORAGE/WAREHOUSE	1	\$173,967.18	\$173,967.18
<b>Total</b>	<b>14</b>	<b>\$1,537,106.88</b>	<b>\$1,537,106.88</b>

**Electrical**

<b>Proposed Use</b>	<b>Number of Units</b>	<b>Construction Value</b>	<b>Intown Value</b>
ELECTRICAL SERVICE REC	1	\$500.00	\$500.00
GENERATOR	1	\$4,500.00	\$4,500.00
RESIDENTIAL STORAGE	1	\$250.00	\$0.00
SINGLE FAMILY DWELLIN	5	\$4,925.00	\$3,925.00
<b>Total</b>	<b>8</b>	<b>\$10,175.00</b>	<b>\$8,925.00</b>

**Mechanical**

<b>Proposed Use</b>	<b>Number of Units</b>	<b>Construction Value</b>	<b>Intown Value</b>
MECHANICAL INSTALLATI	1	\$1,200.00	\$1,200.00
MECHANICAL REPLACEME	36	\$266,841.00	\$250,926.00

OTHER	1	\$400.00	\$400.00
SINGLE FAMILY DWELLIN	1	\$8,160.00	\$8,160.00
<b>Total</b>	39	\$276,601.00	\$260,686.00

### New Building

Proposed Use	Number of Units	Construction Value	Intown Value
COMMERCIAL SIGN	1	\$600.00	\$600.00
MANUFACTURED HOME	1	\$135,485.00	\$0.00
RETAINING WALL	1	\$26,676.00	\$26,676.00
SINGLE FAMILY DWELLIN	21	\$3,179,289.00	\$3,050,394.00
STORAGE/WAREHOUSE	1	\$9,729,212.00	\$0.00
<b>Total</b>	25	\$13,071,262.00	\$3,077,670.00

### New Structure

Proposed Use	Number of Units	Construction Value	Intown Value
GARAGE DETACHED	1	\$19,200.00	\$19,200.00
RESIDENTIAL STORAGE	3	\$20,685.00	\$20,685.00
RETAINING WALL	3	\$344,005.20	\$344,005.20
<b>Total</b>	7	\$383,890.20	\$383,890.20

### Plumbing

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$50,000.00	\$50,000.00
ELECTRIC HOT WATER HE	1	\$3,280.98	\$3,280.98
IRRIGATION	3	\$17,000.00	\$17,000.00
MULTI-FAMILY 5 UNITS &	1	\$200.00	\$0.00
PLUMBING	3	\$21,258.00	\$12,893.00
RESTAURANT	1	\$3,800.00	\$3,800.00
SINGLE FAMILY DWELLIN	1	\$11,810.00	\$11,810.00
TANKLESS HOT WATER HE	1	\$2,750.00	\$2,750.00
<b>Total</b>	12	\$110,098.98	\$101,533.98

### Repair

Proposed Use	Number of Units	Construction Value	Intown Value
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DECK	1	\$4,400.00	\$4,400.00
RESTAURANT	1	\$2,100.00	\$2,100.00
SINGLE FAMILY DWELLIN	3	\$142,370.00	\$16,745.00
<b>Total</b>	5	\$148,870.00	\$23,245.00

**Sum**

**Total Number of Permits 116**  
**Total Construction Value \$15,661,222.16**  
**Total Intown Value \$5,466,757.06**