



November 14, 2022 7:00 PM
Town of Garner Planning Commission Minutes
Council Meeting Room
900 7th Avenue · Garner, North Carolina 27529

I. Call to order

Mr. Blasco called the regular meeting of the Town of Garner Planning Commission to order at 7:00 p.m. on Monday, November 14, 2022.

II. Roll Call

The Secretary conducted the roll call for the meeting.

Members Present: Jon Blasco, Chair; Phillip Jefferson, Vice Chair; Ralph Carson; Sherry Phillips; Vang Moua; Michael Voiland

Staff in attendance: Mr. Jeff Triezenberg, Planning Director; Ms. Leah Harrison, Assistant Town Engineer; Mr. Reginald Buie, Senior Planner- Land Use and Zoning; and Ms. Ashley Harris, Planner I.

III. Invocation

Ms. Phillips gave the invocation.

IV. Minutes

Regular Meeting minutes October 10, 2022 – Mr. Voiland made a motion to approve the presented minutes of the October 10th meeting. The motion was seconded by Mr. Carson. The vote to approve was unanimous.

V. Old/New Business

A. Conditional Zoning Map Amendment Request:

CZ-MP-21-05, 1509 Creech Road (Tryon Pointe Apartments) – Tier 2 Conditional zoning map amendment with master plan request submitted by Kelley Development to conditionally rezone 17.88 +/- acres from Single-Family Residential (R-20) to Multifamily (MF-2 C245) Conditional for the development of 176 multifamily units at a density of 9.8 units per acre. The request offers architectural conditions and amenities along with a master plan. The 17.8-acre site is located on the south side of Creech Road, between Verdugo Drive and Hay River Street, and may be further identified as Wake County PIN: 1712719535.

Tier 2 requests are those where an illustrative master plan is included with the written conditions. The master plan is not intended to have the detail of a full site plan. However, it will show a layout of how streets, parking, buffers, stormwater, utilities, amenities, and lots or buildings will relate to each other as well as the surrounding properties. If the rezoning is approved, the applicant must submit a full site plan in keeping with the master plan to staff (and Town Council in the event a SUP is triggered) for review and approval.

Effective July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. The request is now amended to be from **Residential 2 (R2)** to **Multifamily B Conditional (MF-B C245)**. However, due to permit choice rules, the specific conditions of the request are to be considered according to the rules of the former UDO in effect at the time of application (4/1/2022) governing the former Multifamily (MF-2) zoning district.

Staff/Commission Discussion: Mr. Triezenberg presented the staff report. Mr. Blasco asked for clarification on the proposed route of the future Tryon Road extension. Mr. Triezenberg confirmed the route would meander through several properties within both Garner and Raleigh’s jurisdiction, and that there is a future fly-over planned at Tryon and I-40, Mr. Blasco also inquired about the timeline for the road extension.

Applicant/Commission discussion: Mr. Ted Heilbron, of Kelly Development spoke on behalf of the project. Mr. Carson asked about the expansion of Creech Road and the reason behind the proposed density and building heights of the project. Mr. Blasco asked if townhomes or any other product types were considered as part of the project. Mr. Jefferson asked about the grading that will be done and how stormwater will be handled. He also inquired about traffic calming and how the community will be connected on either side of Tryon Road. Mr. Blasco questioned the proposed location of the amenity spaces, suggesting that they should be further from the road and parking lot. Mr. Moua asked about utilities and whether they would be located outside of the Creech Road right of way. He also expressed that he would prefer if the apartment buildings were further from Tryon Road.

Mr. Carson expressed his concerns about the density of the project and that the project is out of character with the existing single family residential neighborhoods that are adjacent to the site. Mr. Voiland expressed that affordable housing was of utmost importance and Mr. Jefferson expressed that while he had concerns about the site design, the overall need for affordable workforce housing was of greater importance.

Result:	Recommend to Town Council for Approval [5 ayes, 1 nay]
Motion:	Mr. Voiland- I move that the Planning Commission accept the Consistency Statement detailed in Section VI of this report, as their own written recommendation regarding the consistency of the request with the Town's adopted land use plans and recommend approval of CZ-MP-21-05 to the Town Council because of the reasons cited by staff.
Second:	Mr. Jefferson
Vote:	Aye: Blasco, Jefferson, Moua, Phillips, Voiland Nay: Carson

Mr. Blasco noted that he would like the developer to continue to work with staff to address concerns as the design continues to develop and reiterated the importance of affordable housing options in Garner.

B. Conditional Zoning Map Amendment Request:

CZ-MP-22-07, 4202 Fayetteville Road (Take 5 Car Wash) – Tier 2 Conditional zoning map amendment with master plan request submitted by Jing HWA, Inc. to conditionally rezone 0.96 +/- acres from **Service Business Conditional (SB C19)** to **Service Business Conditional (SB C263)** for the construction of an approximately 3,887-square foot commercial building. The request offers zoning conditions to limit uses to a list of 16 along with a master plan. The 0.96 site is located on the west side of Fayetteville Road, between Garner Station Boulevard and Winterlochen Road, and may be further identified as Wake County PIN: 1701289110.

Tier 2 requests are those where an illustrative master plan is included with the written conditions. The master plan is not intended to have the detail of a full site plan. However, it will show a layout of how streets, parking, buffers, stormwater, utilities, amenities, and lots or buildings will relate to each other as well as the surrounding properties. If the rezoning is approved, the applicant must submit a full site plan in keeping with the master plan to staff (and Town Council in the event a SUP is triggered) for review and approval.

Effective July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. The request is now amended to be from Service Business (SB C19) Conditional, now **Commercial Mixed Use (CMX C19)**, to **Commercial Mixed Use (CMX C263)** Conditional. However, due to permit choice rules, the specific conditions of the request are to be considered according to the rules of the former UDO in effect at the time of application (4/1/2022) governing the former Service Business (SB) zoning district.

Staff/Commission Discussion: Mr. Buie presented the staff report. Mr. Triezenberg offered information about the Future Land Use Map and presented previous interpretations of the Mixed-Activity Center. Mr. Blasco suggested that out parcels and parcels internal to the development might be treated differently in terms of height and density, however, future transportation plans should be considered regardless of funding availability. The commissioners agreed that the intention of the Mixed-Activity center is that the building height minimum of 4 stories applies when there is access to premium transit. Mr. Blasco asked about the list of proposed uses outlined in the zoning conditions.

Applicant/Commission discussion: Mr. Andrew Parker, of Pennoni Associates, was available to respond to questions on behalf of the applicant. Mr. Jefferson asked if the driveway access was to remain as is. Mr. Carson asked about the design intent and the architecture of the proposed building. Mr. Blasco questioned whether an auto-centric use was appropriate given the proposed premium transit nearby. Mr. Moua agreed with previous comments that some of the proposed uses listed in the written conditions contradict the proposed masterplan but offered that the listed uses may be intended to guide any future redevelopment of the site. He also suggested that the proposed use is not going to serve pedestrians when the focus is on automobiles. Mr. Carson suggested that the proposed design is consistent with the existing character of the neighborhood and that this development would be revitalizing a currently abandoned site. He offered that if premium transit was established in the area this outparcel would not be able to accommodate the density of an Activity Center due to its size. Mr. Blasco agreed that the proposal would work within the existing context but reiterated that it does not align with the long-range vision of the area. Mr. Jefferson commented that there are many unknowns at play in the area given the current funding status of regional transit plans.

Result:	Recommend to Town Council for Approval [5 ayes, 1 nay]
Motion:	Mr. Voiland- I move that the planning commission accept the consistency statement, option 1 that the request is consistent, as detailed in this report as their own written recommendation regarding the consistency of the request with the Towns adopted land use plans and recommend the approval of CZ-MP-21-07 to the Town Council given the reasons cited by staff
Second:	Mr. Carson
Vote:	Aye: Carson, Jefferson, Moua, Phillips, Voiland Nay: Blasco

VI. Reports

A. Planning Director – Mr. Triezenberg introduced the newest member of staff, Ms. Harris, who will serve as secretary of Planning Commission meetings going forward. He also reminded the commission of the ongoing CLUE projects and the upcoming meetings. He answered commission's questions regarding projects on Old Stage Road and Rand Road. There was also a discussion speculating if there will be a slow down of incoming projects in the new year. Ms. Leah Harrison, Assistant Town Engineer answered commission's question about the future road widening of Jones Sausage Road.

VII. Adjournment

Having no further matters to discuss, the meeting was adjourned at 9:00 PM.