



December 12, 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. Jefferson called the regular meeting of the Town of Garner Planning Commission to order at 7:05 p.m. on Monday, December 12, 2022.

A motion was made to allow for virtual participation of Commissioner Vang Moua. The motion passed unanimously.

II. Roll Call

The Secretary conducted the roll call for the meeting.

Members Present: Phillip Jefferson, Acting Chair; Ralph Carson; Gina Avent, Sherry Phillips; Vang Moua, virtually; 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 November 14, 2022 – Mr. Carson made a motion to approve the presented minutes of the November 14th meeting. The motion was seconded by Mr. Voiland. The vote to approve was unanimous.

V. Old/New Business

A. Conditional Zoning Map Amendment Request:

CZ-MP-22-01, Burnette Farms – Tier 2 conditional rezoning request (CZ-MP-22-01) submitted by Madison Holding LLC to rezone 45.02 +/- acres from **Single-Family Residential (R-20)** to **Multifamily Residential (MF-2 C258) Conditional** for the development of a residential community at around 10.5 units per acre. The site is located at the southwest corner of Auburn Knightdale Rd and Rock Quarry Rd and may be further identified as Wake County PIN # 1731706353 (partial).

Zoning conditions are proposed that restrict the range of MF-2 permissible uses and to provide architectural commitments for the residential structures that address appearance and the quality of materials and construction.

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 (MF-B C258) 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 (2/4/2022) governing the former Multifamily (MF-2) zoning district.

Staff/Commission Discussion: Mr. Triezenberg presented the staff report. Ms. Avent inquired about the adjacent subdivisions, Auburn Village and Auburn Station. She noted that the age restricted communities will have different peak hour traffic patterns compared to the proposed multifamily community.

Applicant/Commission discussion: Ms. Beth Blackman, of Timmons Group and Daniel Smoot, of Madison Holding LLC spoke on behalf of the project. Mr. Carson asked about the TIA and whether the proposed turn lane off of Auburn-Knightdale Road was sufficient given the density of the project. He also inquired about tree preservation and how those requirements will be met on the site. He expressed that meeting minimum design requirements does not always produce the most desirable result possible and encouraged the developers to think about what can be improved above the minimum requirements. Ms. Avent asked how many bedrooms the multifamily and townhouse units would have. She also questioned what the traffic volume coming from those units would be and whether the proposed amenity spaces would be shared between the townhome and apartment units. Mr. Jefferson also inquired about amenities, asking if there would be one or two dog parks on site.

Mr. Voiland asked about stormwater control and the existing pond on site. Mr. Moua asked if there has been any discussion about speed reduction in the area. Mr. Jefferson asked for clarification on the number of apartment units. He highlighted that the Future Land Use Map proposes a mixed-activity center in this location. Mr. Jefferson asked what studies have been conducted for the adjacent open parcels, which are intended to be commercial, and questioned why this proposal does not include a commercial component. He expressed that he would have liked to have seen proof that a commercial component was

considered with this project. Mr. Carson and Mr. Jefferson also inquired about the neighborhood meeting, public noticing, and neighbor engagement.

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| Result: | Motion Tied; Move to Town Council for Final Decision [3 in favor, 3 opposed] |
| Motion: | Mr. Voiland- I move that the planning commission accept the consistency statements 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 the approval of CZ-MP-22-01 to town council, in as much as the proposal is consistent with all town plans and with the understanding that the adjacent land be reserved for commercial and employment uses. |
| Second: | Ms. Avent |
| Vote: | Aye: Avent, Moua, Voiland Nay: Carson, Phillips, Jefferson |

Mr. Carson noted that he found the proposal to be inconsistent with adjacent land uses and the lack of a commercial component concerning given the designation of a mixed-activity center. Mr. Jefferson acknowledged that there had been some confusion concerning communication with the neighbors and encouraged the developer to continue to work with the adjacent neighborhood going forward. He also suggested 12” roof overhangs for the townhome units.

B. Conditional Zoning Map Amendment Request:

CZ-22-06, 5907 Fayetteville Road Conditional district rezoning request (CZ-22-06) submitted by Four O One South, LLC to rezone approximately 5.37 +/- acres from **Highway District (Wake County)** to **Light Industrial (LI C268) Conditional District**. The site is located at 5907 Fayetteville Road and may be further identified as Wake County PIN 0790786801. Use conditions are proposed.

This is a Tier 1 conditional district rezoning request which means there is no site plan or specific development proposal at this time. The reason for this request is to connect to public water. Because this is outside of Garner’s ETJ, a rezoning is required along with an annexation petition to connect to public utilities when coming in from outside the ETJ.

Staff/Commission Discussion: Mr. Buie presented the staff report. Mr. Carson asked about the Commercial Highway Overlay District and whether the overlay applied to the whole property or the 450’ depth shown on the zoning map. Mr. Voiland clarified that this rezoning was submitted to connect to public water.

Ms. Avent asked how far the nearest water line connection point is from the property. Mr. Jefferson confirmed that existing use would not change with this request.

Applicant/Commission discussion: The Applicant was not present at the meeting.

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| Result: | Recommend to Town Council for Approval [Unanimous] |
| Motion: | Mr. Carson- I move that the planning commission accept the consistency statement detailed in section V of this report as their own written recommendation regarding the consistency of the request with the towns adopted land use plans, and I further move that the planning commission recommend approval of CZ-22-06 to the Town Council for the installation of water service. |
| Second: | Mr. Carson |
| Vote: | Aye: Avent, Carson, Jefferson, Moua, Phillips, Voiland Nay: |

VI. Reports

- A. **Planning Director** – Mr. Triezenberg offered an update on the Walters Buffaloe developers’ agreement, which was recently adopted by Town Council. He gave an update on the 1509 Creech Road rezoning request for the development of a workforce housing apartment complex and on the recent special use permit for a carwash on U.S. 70. He spoke about the ongoing CLUE process and informed the commission of the next steering committee meetings and the updated date for the final workshop, which will now be held on Wednesday the 22nd of February.
- B. **Planning Commission-** Mr. Voiland updated the commission on the recent clearing of the future VA site along New Rand Road. Mr. Jefferson informed the commission about the tree protection fence and required replanting on that site.

VII. Adjournment

Having no further matters to discuss, the meeting was adjourned at 9:02 PM.