



January 09, 2023 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 7:01 p.m. on Monday, January 9, 2023.

II. Roll Call

The Secretary conducted the roll call for the meeting.

Members present: Jon Blasco, Chair; Phillip Jefferson, Vice Chair; Gina Avent; Ralph Carson; Vang Moua; Sherry Phillips; and Michael Voiland.

Staff in attendance: Mr. John Hodges, Assistant Town Manager, Ms. Leah Harrison, Town Engineer, Mr. David Bamford, Assistant Planning Director (virtual); Ms. Sarah Van Every, Development Services Manager, Mr. Reginald Buie, Senior Planner, and Ms. Ashley Harris, Planner I

III. Invocation

Ms. Avent gave the invocation.

IV. Minutes

Regular Meeting Minutes December 12, 2022 – Mr. Carson made a motion to approve the presented minutes of the December 12th meeting. The motion was seconded by Mr. Voiland. Ms. Avent proposed a friendly amendment to amend the roll call due to a clerical error, which was accepted. The vote to approve was unanimous.

V. Old/New Business:

A. Conditional Zoning Map Amendment Request:

CZ-MP-22-06, Ackerman Road – Tier 2 conditional rezoning request (CZ-MP-22-06) submitted by Construction Masters LLC to rezone approximately 7.57+/- acres from Single-Family Residential (R-40) to Single-Family Residential Conditional (R-9 C255) and Multifamily Residential Conditional (MF-1 C255) not to exceed 9 single-family detached dwelling units and 24 fee-simple townhouses. The site is located at and adjacent to 1932 Ackerman Road and may be further identified as Wake County PINs # 1629381473 and 1629380782

The applicant has requested the matter be tabled until February or March to refine their proposal based on feedback from the public hearing held on December 20, 2022. The project will not be presented to planning commission until a future meeting for commission's recommendation.

Staff/Commission Discussion: Mr. Blasco confirmed that the case would return at a future date. Staff confirmed the applicant asked to be tabled until March 13th.

RESULT: Table Case Until March 13th Meeting [UNANIMOUS]

Motion: Mr. Voiland – I move that the planning commission table CZ-MP-22-06 until the March 13th regular meeting to allow the applicant time to address neighbor concerns.

Second: Mr. Carson

VOTE: Aye: Jon Blasco, Phillip Jefferson, Gina Avent; Ralph Carson; Vang Moua; Sherry Phillips; Michael Voiland
Nay:

B. Conditional Zoning Map Amendment Request:

CZ-PD-22-01, Golden Trace - Lennar Corporation is requesting to rezone approximately 47.6 +/- acres from Single-Family Residential (R-20) to Planned Residential Development (PRD C13) Conditional for a residential development consisting of up to 130 single-family detached dwelling units. The site is located along the north side of New Bethel Church Road between Clifford Road and Magnolia Lane and may be further identified as Wake County PIN # 1629237034, 1629239795, 1629233112, and portions of 1629231442 and 1629138501.

Staff/Commission Discussion: Ms. Harris presented the staff report. Mr. Cason asked about road improvements. Ms. Harrison explained that pavement sections would be determined at construction document level and explained what the required road improvements along Auburn-Knightdale Road would entail (The applicant would be required to develop their half of the ultimate roadway section; the center turn lane would act as a left-turn lane into the development and there two right turn lanes constructed. She explained that an acceleration lane out of the subdivision would not be allowed under NCDOT standards). Mr. Moua asked about the required bike lanes along Auburn-Knightdale Road.

Applicant/Commission Discussion: Mr. Marsh, of Parker Poe, spoke on behalf of the project. Mr. Carson inquired about the proposed street sections and asked about the pavement depth, noting that a thicker pavement section might be required. Mr. Carson also asked about page 9 of the McAdams booklet regarding off-street parking and asked if all the driveways be wide enough for two-cars. Ms. Avent asked about the

square footage of the proposed homes. Mr. Jefferson asked about the proposed open spaces, including the pocket park and trail network. He also asked about the architectural color palette and encouraged that any front porches be large enough to be usable. He also noted that landscaping is scalable and that some form of landscape should be included in the alleys.

Mr. Blasco asked that future connections for the greenway continue to be considered going forward. He inquired about the adjacent property owners who are not included in this subdivision. He encouraged the developer to include additional windows on side elevations and asked about foundation conditions given the slopes. He expressed concern over the character created by front loaded units opposite of rear-loaded units, questioning if that would create appropriate conditions for the pedestrian experience. Mr. Voiland commended the thought put toward incorporating the natural environment into the overall design.

RESULT: Recommend to Town Council for approval [6 Yes; 1 No]

Motion: Mr. Carson -- 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-PD-22-01 to the Town Council, as it is consistent land use, transportation, and parks greenway and cultural resources plans.

Second: Mr. Jefferson

**VOTE: Aye: Avent, Carson, Jefferson, Moua, Phillips, Voiland
Nay: Blasco**

Mr. Blasco explained that his dissenting vote was due to the differing housing types on either side of one street, which did not create a cohesive character for the neighborhood.

- C. Text Amendment Request: ZTA-22-02- Public Notice Requirements-** On behalf of the Garner Town Council, the Garner Planning Department is requesting to amend Section 4.4.6. "Public Notice Requirements" of the Garner Unified Development Ordinance to reduce the mailed notification area from 1,000 feet from the affected parcel(s) to 500 feet, change the required notice recipients from all property owners and tenants to all property owners as well as any parcel's primary Page 3 of 3 physical address that is different from the mailing address of record and require the applicant to provide the Planning Director with first class stamped envelopes addressed to all persons subject to the mailed public notice requirements.

Staff/Commission Discussion: Mr. Buie presented the staff report. Mr. Carson asked why metering was not an appropriate solution to the postage portion of the proposal.

Ms. Van Every explained that as part of state statute metering is not an option. Mr. Blasco asked what prompted the conversation to change the UDO and how the lists of addresses are pulled. Mr. Jefferson asked what the current noticing boundary was. Mr. Hodges explained that the distance of 1000' was not the original intent of the UDO rewrite and that it is an undue burden on staff, as well as the requirement not being in line other municipalities in the Triangle. Mr. Carson voiced his concerns, indicating that to get the level of community engagement Garner wants to foster, the 1000' distance should remain. He noted that in the rural areas of town 1000 feet is needed to reach all the adjacent neighbors. He agreed that the developer should pay for the postage.

Mr. Voiland noted that the proposed reduction would still be greater than the 300 feet requirement in the old UDO. He also asked what the implications may be if the occupants and owners of a property have differing opinions on a case, noting that the owner has a long-term investment in the community. Mr. Jefferson expressed that he believed that the occupants' voices are crucial to the public input process. He also asked if the notice boundary needs to be uniform across the whole town. Mr. Blasco asked about the practicality of noticing occupants including pulling addresses for apartment complexes and about the cost associated with the various proposals. He also expressed that the advisory committee had not discussed 1000 feet as an option during the UDO rewrite process.

Prior to the vote the commission asked for an informal roll call to summarize each commissioner's opinion. Mr. Voiland reiterated that the proposal is still an increase from the 300 feet required of the previous UDO and that the 500 feet would be equal to or exceed the requirements of other municipalities in the area. Mr. Cason emphasized that he does not support reducing the boundary as that would result in a loss of community voices. Ms. Phillips agreed that the 1000-foot boundary should remain in an effort to increase transparency and include as many citizens as possible. Mr. Blasco expressed that the apartment requirement is overly burdensome and that 500 feet was the original intent during the UDO rewrite. Mr. Jefferson stated that occupant voices are important and that he would never want to lose voices of the Town. He questioned requiring landlords to notice their residents, as it is impractical and unenforceable. Ms. Avent expressed that renters are usually short term occupants and that by the time a project moves into construction they may have moved away from the area. She expressed the CLUE project and other Town projects are seeking community engagement, so the 1000 foot boundary should remain. Mr. Moua expressed concern that there is already a limited number of people who participate in the neighborhood meetings and that the town should encourage participation.

RESULT: Recommend to Town Council for approval [4 Yes; 3 No]

Motion: **Mr. Blasco--** I move that the Planning Commission accept the consistency statement detailed in section IV of the report as their own written recommendation regarding the consistency of the request with regards to the Town's adopted land use plans and recommend approval of ZTA-22-02 option A to the Town Council, with the amendment that the distance remain 1000 feet.

Second: **Mr. Voiland**

VOTE: **Aye: Avent, Carson, Phillips, Voiland**
Nay: Blasco, Jefferson, Moua

VI. Reports

- A. **Planning Director** – Mr. Bamford gave an update on a previous project, The Everstead at White Oak which was recently denied a rezoning by Town Council on December 20th.
- B. **Planning Commission** – Mr. Jefferson followed up on the previous CLUE meeting.

VII. Adjournment

Having no further matters to discuss, the meeting was adjourned at 9:04 PM.