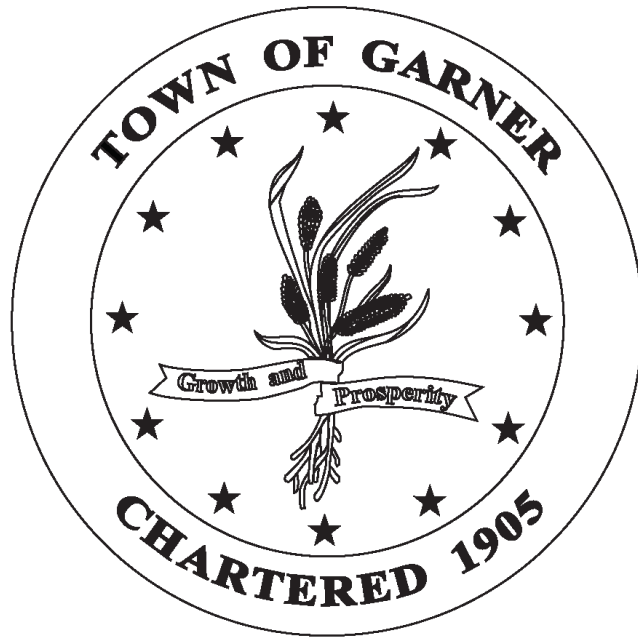


Town of Garner



Town Council Meeting May 2, 2023

Garner Town Hall
900 7th Avenue
Garner, NC 27529

Town of Garner
Town Council Regular Meeting Agenda
May 2, 2023

This regular meeting of the Council will be conducted at 6:00 p.m. in the Garner Town Hall located at 900 7th Avenue, Garner.

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn
- B. PLEDGE OF ALLEGIANCE: Mayor ProTem Vance
- C. INVOCATION: Mayor ProTem Vance
- D. PETITIONS AND COMMENTS
- E. ADOPTION OF AGENDA
- F. PRESENTATIONS

- 1. FY2024 Recommended Budget Presentation
Presenter: Rodney Dickerson, Town Manager

The Town Manager will present the FY2023-2024 Recommended Budget to Council.

- G. CONSENT

- 1. Resolution Supporting Triangle J Council of Government Charter Changes Page 6
Presenter: Rodney Dickerson, Town Manager

At the beginning of this budget year, the TJCOG governing board authorized staff to move forward with a rebranding effort which included a potential change to the organization's name and logo. They have completed this work and in late March, the TJCOG Board of Delegates unanimously approved changes to the organization's Charter to reflect a change in name from Triangle J Council of Governments to Central Pines Regional Council. They will need 2/3 of the local government members to approve the amended charter for the name change to become official. Their hope is that this can be completed by July 1, 2023.

Action: Consider adopting Resolution (2023) 2532

- 2. Annexation Petition # ANX-23-05, VA Clinic Page 8
Presenter: David Bamford, Assistant Planning Director

Voluntary satellite annexation petition (ANX-23-05) submitted by 900 Rand Road LLC to bring 16.66 +/- acres at 2700 Benson Road into the Town of Garner's corporate limits. The site may also be identified as Wake County PIN 1619434742.

Action: Consider motion to adopt Resolution (2023) 2531 to set public hearing for June 20, 2023.

- 3. Stub Completion Policy Waiver Page 12
Presenter: Jeff Triezenberg, Planning Director

Formal request for a waiver to the stub completion policy for Curtiss Drive within the Buffaloe Townhome project boundary. The developer has asked for the waiver pursuant to: Policy Section IV - 4. Other. The Town Council may also issue a waiver for stub completion citing safety, quality of life, or other circumstances related to public interested and/or evaluate and recommend appropriate traffic calming measures.

Action: Consider granting of waiver pursuant to subsection 4. "Other."

H. PUBLIC HEARINGS

- 1. Special Use Permit # SUP-SP-22-09, Garner V US 70 Industrial Page 16
Presenter: Alison Jones, Planner II

Special use permit request submitted by Al Neyer, LLC to construct a light industrial/flex space building 225,000 square feet on 57.1 +/- acres of land zoned Heavy Industrial (HI) located at 4839 Green Garden Road. The site may be further identified as Wake County PIN 1730842632.

Action: Consider motion to approve special use permit with conditions.

- 2. Tier 2 Conditional Rezoning # CZ-PD-22-03, 401 Crossing Page 33
Presenter: Ashley Harris, Planner

Tier 2 conditional rezoning request submitted by the McAdams Company to rezone approximately 72.24 +/- acres from Wake County Residential 40 Watershed (R-40W) to Town of Garner Planned Unit Development (PD C15) Conditional for a mixed-use development of a maximum of 300 single-family residential units, 500 multifamily residential units, and 45,000 square feet of commercial space. The site is located on the southeast side of US 401 between Woodcrest Drive and St Patrick Drive and may further be identified as multiple Wake County PIN(s) - see staff report for full list.

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

I. NEW/OLD BUSINESS

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- 1. On Saturday, May 6, Garner Fire-Rescue and the American Red Cross will be teaming up with community partners and individual volunteers for the Red Cross "Sound the Alarm" event. Organizers hope to have teams fan out and install 250 smoke alarms in the community. For more information and to sign up, contact Capt. Don Johnson, Garner Fire-Rescue's community risk reduction manager, at djohnson@garnerfire.com.

2. Friday Family Flicks starts its season May 12 at 8:30 p.m. on the lawn of Garner Recreation Center. The movie will be "Thor: Love & Thunder".
3. The duo Larry and Joe play at Garner Performing Arts Center on Saturday, May 13. Larry and Joe offer a fusion of Venezuelan and Appalachian folk music. This is a "pay what you can" event and starts at 1 p.m. with a workshop on traditional Venezuelan music.
4. The next Downtown Night Market is Thursday, May 18, from 5 to 9 p.m.

L. ATTORNEY REPORTS

1. Transparency Act Compliance - State law prohibits Town Councilmembers from voting on certain contracts and appropriations which may be authorized in the annual budget. In order to ensure compliance, Councilmembers must disclose to the Town Clerk and/or Town Attorney any nonprofit or other organization for which the Town Councilmember is currently an officer or director, or anticipated to be an officer or director during the 2023-2024 Fiscal Year.

M. COUNCIL REPORTS

N. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023		
Subject: FY2024 Recommended Budget Presentation		
Location on Agenda: Presentations		
Department: Town Manager		
Contact: Sara Warren, Budget Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: The Town Manager will present the FY2023-2024 Recommended Budget to Council.		
Recommended Motion and/or Requested Action: This item is provided as information and background for Council's future budget deliberations.		
Detailed Notes: The Town Manager will present the FY2023-2024 Recommended Budget to Council. The presentation will include an update to proposed revenues and expenditures in the upcoming fiscal year		
Funding Source: n/a		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SAW	
Finance Director:		
Town Attorney:		
Town Manager:		
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023 ▼		
Subject: Resolution Supporting Triangle J Council of Government Charter Changes		
Location on Agenda: Consent ▼		
Department: Town Manager's Office		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary: At the beginning of this budget year, the TJCOG governing board authorized staff to move forward with a rebranding effort which included a potential change to the organization's name and logo. They have completed this work and in late March, the TJCOG Board of Delegates unanimously approved changes to the organization's Charter to reflect a change in name from Triangle J Council of Governments to Central Pines Regional Council. They will need 2/3 of the local government members to approve the amended charter for the name change to become official. Their hope is that this can be completed by July 1, 2023.		
Recommended Motion and/or Requested Action: Adopt Resolution (2023) 2532		
Detailed Notes:		
Funding Source:		
Cost: n/a	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:	JMH for RD	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2023) 2532

RESOLUTION RATIFYING, ACCEPTING AND APPROVING THE AMENDED CHARTER RESOLUTION OF CENTRAL PINES REGIONAL COUNCIL (FORMERLY TRIANGLE J COUNCIL OF GOVERNMENTS)

WHEREAS, the Councils of Governments system was created by the State of North Carolina in 1970 by Governor Bob Scott designating seventeen Regional Councils to serve across the state and Triangle J Council of Governments (TJCOG), formerly the Research Triangle Regional Planning Commission, as the regional entity serving Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties, and the municipalities within those counties; and

WHEREAS, the TJCOG Board of Delegates approved an organization rebrand process in its Fiscal Year 2022-2023 budget to identify and implement a new name, logo, and brand for the organization, and rebranding consultant Carrboro Creative was selected to conduct the process in the Fall of 2022; and

WHEREAS, the proposed rebrand, including a name change from Triangle J Council of Governments to Central Pines Regional Council was presented to the TJCOG Officers, TJCOG Executive Committee, and TJCOG Board of Delegates in December, February, and March of 2023 for consideration; and

WHEREAS, the TJCOG Executive Committee and TJCOG Board of Delegates unanimously approved the name Central Pines Regional Council and approved a proposed amended charter to reflect this change; and

WHEREAS, the charter is TJCOG's governing document and must be endorsed by all member governments when they join the organization and by a minimum of 2/3 when amendments to the document are made;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GARNER does hereby ratify, accept, and approve the amended Charter Resolution reflecting the organization's new name of Central Pines Regional Council. Further, the governing body authorizes that the new name will be effective July 1, 2023, or once 2/3 of the member governments approve the Charter amendment, if it is after July 1, 2023.

Duly adopted this 2nd day of May 2023.

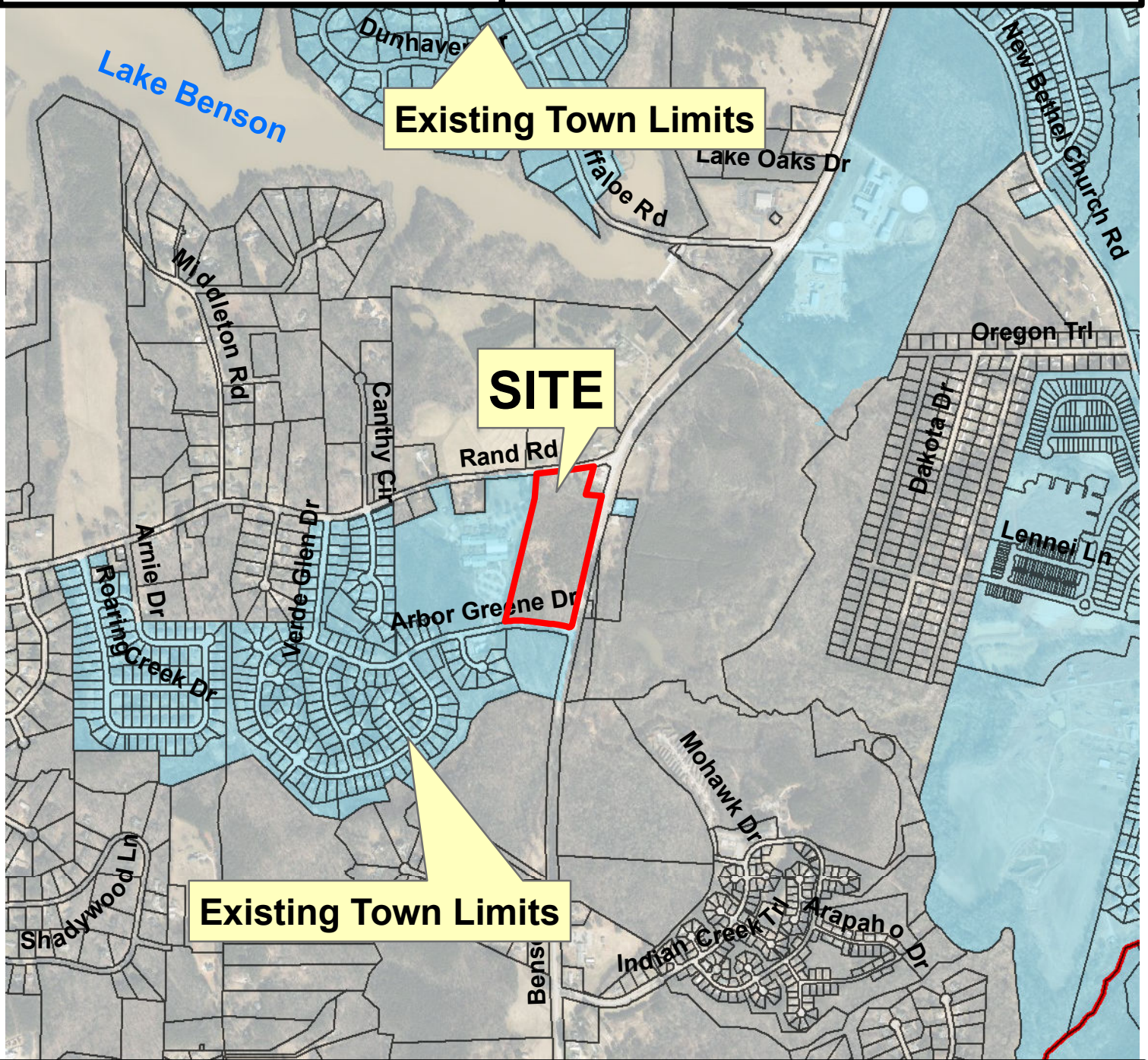
Ken Marshburn, Mayor

ATTEST:

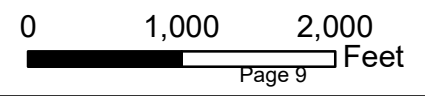
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023		
Subject: Annexation Petition # ANX-23-05, VA Clinic		
Location on Agenda: Consent		
Department: Planning		
Contact: David Bamford, AICP; Assistant Planning Director		
Presenter: David Bamford, AICP; Assistant Planning Director		
Brief Summary: Voluntary satellite annexation petition (ANX-23-05) submitted by 900 Rand Road LLC to bring 16.66 +/- acres at 2700 Benson Road into the Town of Garner's corporate limits. The site may also be identified as Wake County PIN 1619434742.		
Recommended Motion and/or Requested Action: Consider motion to adopt Resolution (2023) 2531 to set public hearing for June 20, 2023.		
Detailed Notes: This petition follows a request for public water and sewer for the VA Clinic project; 250,242 square feet; CZ-SP-20-15 approved September 7, 2021; and SUP-SP-20-03 approved September 21, 2021; Per the Raleigh-Garner Merger Agreement, an annexation petition is required for the extension of service.		
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:		



Owners: 900 Rand Road LLC
Project: VA Clinic
Location: 2700 Benson Rd
Area: 16.6 acres +/-
Pin: 1619434742



Planning Department Staff Report

TO: Honorable Mayor Marshburn and Town Council Members

FROM: David Bamford, AICP; Assistant Planning Director

SUBJECT: ***Annexation Petition # ANX-23-05, VA Clinic***

DATE: May 2, 2023

ANNEXATION APPLICATION: ANX-23-05, VA Clinic

OWNERS: 900 Rand Road LLC

CONTIGUOUS / SATELLITE: Satellite

LOCATION OF PROPERTY: 2700 Benson Rd

WAKE COUNTY PIN #: 1619434742

REAL ESTATE ID #: 0016129

AREA: 16.66 +/- acres

ZONING: Commercial Mixed Use (CMX C240) Conditional

ASSOCIATED DEVELOPMENT PLAN: This petition follows a request for public water and sewer for VA Clinic; 250,242 square feet; Rezoning CZ-SP-20-15 approved September 7, 2021; and SUP-SP-20-03 approved September 21, 2021; Per the *Raleigh-Garner Merger Agreement*, an annexation petition is required for the extension of service.

RECOMMENDATION: Set Public Hearing for June 20, 2023.

RESOLUTION NO. (2023) 2531

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION
PURSUANT TO G.S. 160A-58.1, AS AMENDED**

WHEREAS, a petition requesting annexation of the area described herein has 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 petition has been made;

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

Section 1. That a public hearing on the question of annexation of the areas described herein will be held at the Town Hall at 6:00 p.m. on the 20th day of June 2023.

Section 2. The area proposed for annexation is described as follows:

- ANX-23-05, VA Clinic; located at 2700 Benson Road; 16.66 +/- acres (satellite)

Section 3. Notice of said public hearing shall be published at least ten (10) days prior to the date of said public hearing.

Duly adopted this 2nd day of May 2023.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023		
Subject: Stub Completion Policy Waiver - Buffalo Townhomes		
Location on Agenda: Consent		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
Brief Summary: Formal request for a waiver to the stub completion policy for Curtiss Drive within the Buffalo Townhome project boundary. The developer has asked for the waiver pursuant to: Policy Section IV - 4. Other. The Town Council may also issue a waiver for stub completion citing safety, quality of life, or other circumstances related to public interested and/or evaluate and recommend appropriate traffic calming measures.		
Recommended Motion and/or Requested Action: Consider granting of waiver pursuant to subsection 4. "Other."		
Detailed Notes: The Technical Review Committee has no further comment. Staff confirmed that adequate emergency access can be maintained without this connection. A recommendation was made to change the name of the street in the development labeled "Curtiss Drive" as it will not connect.		
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:		

SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L.L.P.

LAWYERS

OFFICES

Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

TOBY R. COLEMAN
DIRECT DIAL: (919) 821-6778
E-Mail: tcoleman@smithlaw.com

March 15, 2023

MAILING ADDRESS

P.O. Box 2611
Raleigh, North Carolina
27602-2611

TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

SENT VIA EMAIL (jtriezenberg@garnernc.gov)

Jeff Triezenberg, AICP, GISP
Planning Director
Town of Garner
Garner Town Hall
900 7th Ave.
Garner, NC 27529

Re: Request for Waiver from Town Policy on Completion of Street Stubs (the "Policy") to permit Buffalo Townhomes to proceed without connecting to the existing Curtiss Drive Street Stub to the East

Dear Mr. Triezenberg:

On behalf of Concept 8 Holdings, LLC ("Concept 8"), the developer of Buffalo Townhomes located at 0, 1316, 1318, 1320, 1322, 1326, 1328, & 1330 W GARNER ROAD (the "Project"). The Project is currently subject to Site Plan review by the Town, Case # SP-22-14.

I write to request a waiver from the Policy to permit the Project to obtain site plan approval and all subsequent approvals (up to and including building permits and certificates of occupancy) without connecting the Project's streets to the Curtiss Drive street stub currently located to the east of the Project, within the Vandora West subdivision.

During the January 2022 public hearing on the rezoning for the Project (#CZ-MP-21-09), residents of the Vandora West subdivision stated to Council that connecting the Curtiss Drive street stub would result in cut-through traffic that would create safety issues for the neighborhood and negatively impact their quality of life. During the same hearing, Councilors Singleton and Matthews both stated that they were concerned about cut-through traffic that could be created by allowing the Project to connect to the Curtiss Drive street stub in Vandora West. The Project will be a neighborhood of townhomes, and neighbors and council members expressed concern about the other impacts that a street connection between Project and Vandora West could have on the neighborhood of single-family homes in the Vandora West subdivision.

Mr. Jeff Triezenberg
Garner Planning Director
March 15, 2023
Page 2

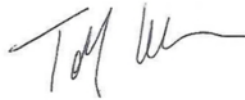
Council ultimately approved a master plan for the Project that provided that the connection to the Curtiss Drive street stub would only be built if required by Town Council Policy.

It is our understanding that Council did not intend the Policy to require the Curtiss Drive street stub connection in the Project. Given the safety, quality of life, and other related concerns raised by Council in connection with this street connection, Concept 8 hereby requests a waiver from the Policy to the extent that it could be interpreted as requiring the Project to connect to the Curtiss Drive street stub. Such a waiver will be consistent with Council's intent in approving the Project and is expressly authorized under the Policy.

To mitigate the loss of the roadway connection on Curtiss Drive, Concept 8 will provide a pedestrian connection to Vandora West. Concept 8 has also coordinated with the Town and the City of Raleigh and confirmed no utility easements need to be provided in the area where the street stub connection would have occurred.

Enclosed is a sheet from the site plan showing that a pedestrian connection will be provided in lieu of a street connection to the Curtiss Drive street stub in the Vandora West subdivision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Toby R. Coleman', with a stylized flourish at the end.

Toby R. Coleman

cc: Terri Jones (tjones@garnernc.gov)

enclosure



2/21/2023

Subconsultants

Client
CONCEPT 8 HOLDINGS, LLC
 307 S. SALEM ST. #200
 APEX, NC 27502

Project
BUFFALO TOWNHOMES (SP-22-14)

Process
CONSTRUCTION DRAWING REVIEW

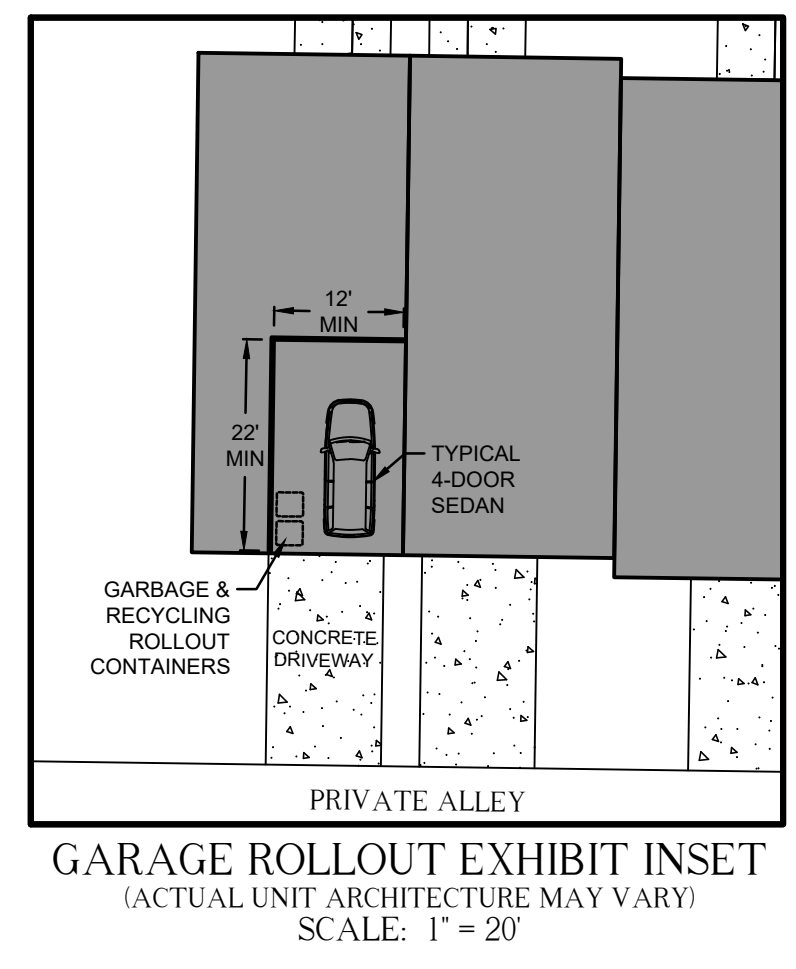
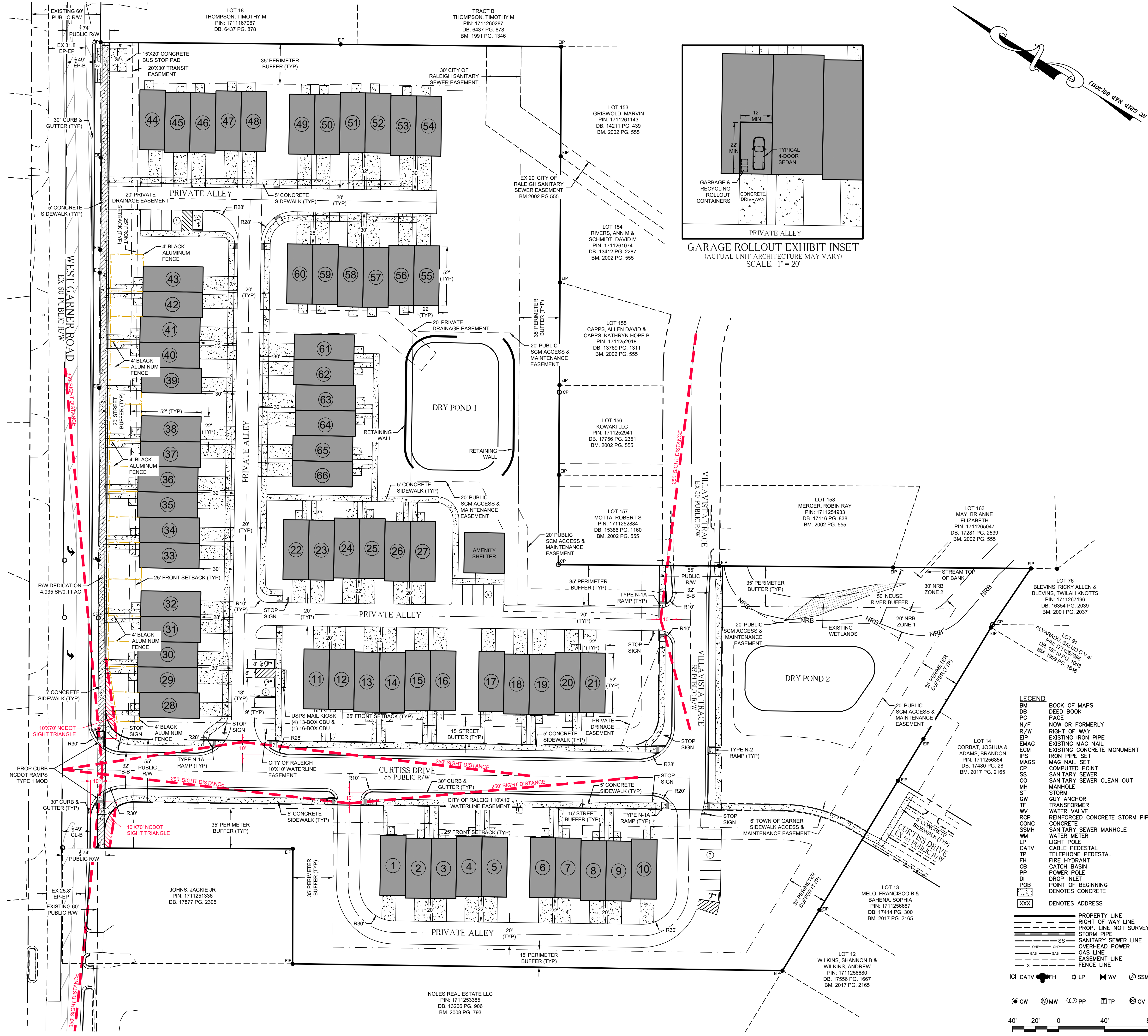
Revisions		
Number	Description	Date

Approvals

Drawing Title
SITE PLAN

Sheet Number
CE-1.0

Date Issued 2/21/2023



- LEGEND**
- BM BOOK OF MAPS
 - DB DEED BOOK
 - PG PAGE
 - N/F NOW OR FORMERLY
 - R/W RIGHT OF WAY
 - EMAG EXISTING IRON PIPE
 - ECM EXISTING MAG NAIL
 - EPS EXISTING CONCRETE MONUMENT
 - IPS IRON PIPE SET
 - MACS MAG NAIL SET
 - CP COMPUTED POINT
 - SS SANITARY SEWER
 - CD SANITARY SEWER CLEAN OUT
 - MH MANHOLE
 - ST STORM
 - GW GUY ANCHOR
 - TF TRANSFORMER
 - WV WATER VALVE
 - RCP REINFORCED CONCRETE STORM PIPE
 - CONC CONCRETE
 - STORM PIPE
 - SSMH SANITARY SEWER MANHOLE
 - WM WATER METER
 - LP LIGHT POLE
 - CATV CABLE PEDESTAL
 - TP TELEPHONE PEDESTAL
 - FH FIRE HYDRANT
 - CB CATCH BASIN
 - PP POWER POLE
 - DI DROP INLET
 - POB POINT OF BEGINNING
 - DN DENOTES CONCRETE
 - XXX DENOTES ADDRESS
- PROPERTY LINE
 --- RIGHT OF WAY LINE
 --- PROP. LINE NOT SURVEYED
 --- STORM PIPE
 --- SS SANITARY SEWER LINE
 --- OVERHEAD POWER
 --- GAS LINE
 --- EASEMENT LINE
 --- FENCE LINE
- [Symbol] CATV [Symbol] FH [Symbol] LP [Symbol] WV [Symbol] SSMH
 [Symbol] GW [Symbol] MW [Symbol] PP [Symbol] TP [Symbol] GV
- 0' 20' 0 40' 80'
 1"=40'

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023 <input type="button" value="v"/>		
Subject: Special Use Permit # SUP-SP-22-09, Garner V US 70 Industrial		
Location on Agenda: Public Hearings <input type="button" value="v"/>		
Department: Planning		
Contact: Alison Jones, Planner II		
Presenter: Alison Jones, Planner II		
<p>Brief Summary: Special use permit request submitted by Al Neyer, LLC to construct a light industrial/flex space building 225,000 square feet on 57.1 +/- acres of land zoned Heavy Industrial (HI) located at 4839 Green Garden Road. The site may be further identified as Wake County PIN 1730842632.</p>		
<p>Recommended Motion and/or Requested Action: Consider motion to approve special use permit with conditions.</p>		
<p>Detailed Notes: See attached vicinity map. A neighborhood meeting was held on June 28, 2022 to discuss both the rezoning and preliminary site plan with 3 attendees.</p>		
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**

**Special Use Permit Application
SUP-SP-22-09**



Project: *Garner V US 70 Industrial*
Applicant: *Al Neyer, LLC*
Owner: *Al Neyer, LLC*
Location: *4839 Green Garden Rd*
Pin #: *1730842632*

Proposed Use: *Flex Space*
Current Zoning: *HI Conditional C257*
Acreage: *57.1 +/-*
Overlay: *Limited Access Highway
Overlay District 7*

Planning Department Staff Report

TO: Honorable Mayor Marshburn and Town Council Members

FROM: Alison Jones, CZO, Planner II

SUBJECT: *Special Use Permit # SUP-SP-22-09, Garner V- US 70 Industrial*

DATE: May 2, 2023

I. PROJECT AT A GLANCE

Project Number:	SUP-SP-22-09
Applicant:	Al Neyer LLC
Initial Submittal Date:	November 2022
Owner:	Al Neyer LLC
Plan Prepared by:	Bolton & Menk, Inc.
General Description -	
Proposed Use(s):	Light Industrial -Flex Space
Project Location:	4839 Green Garden Road
Wake Count PIN(s):	1730-84-2632
Zoning Classification:	Heavy Industrial (HI C257) Conditional
Overlay District:	Limited Access Highway (LHO) Overlay
Key Meeting Dates –	
Neighborhood Meeting:	June 28, 2022
Public Hearing:	May 2, 2023

II. BACKGROUND / REQUEST SUMMARY

Request: Special use permit request submitted by Al Neyer, LLC to establish 225,000 square feet of warehouse and office space on 57.1 +/- acre site located 4839 Green Garden Road. The site may be further identified as Wake County PIN# 1730842632.

As of July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. This tract was converted from Light Industrial (I-1 C257)

Conditional to Heavy Industrial (HI C257) Conditional. However, due to permit choice rules, the request is to be considered according to the rules of the former UDO which was in effect at the time of application.

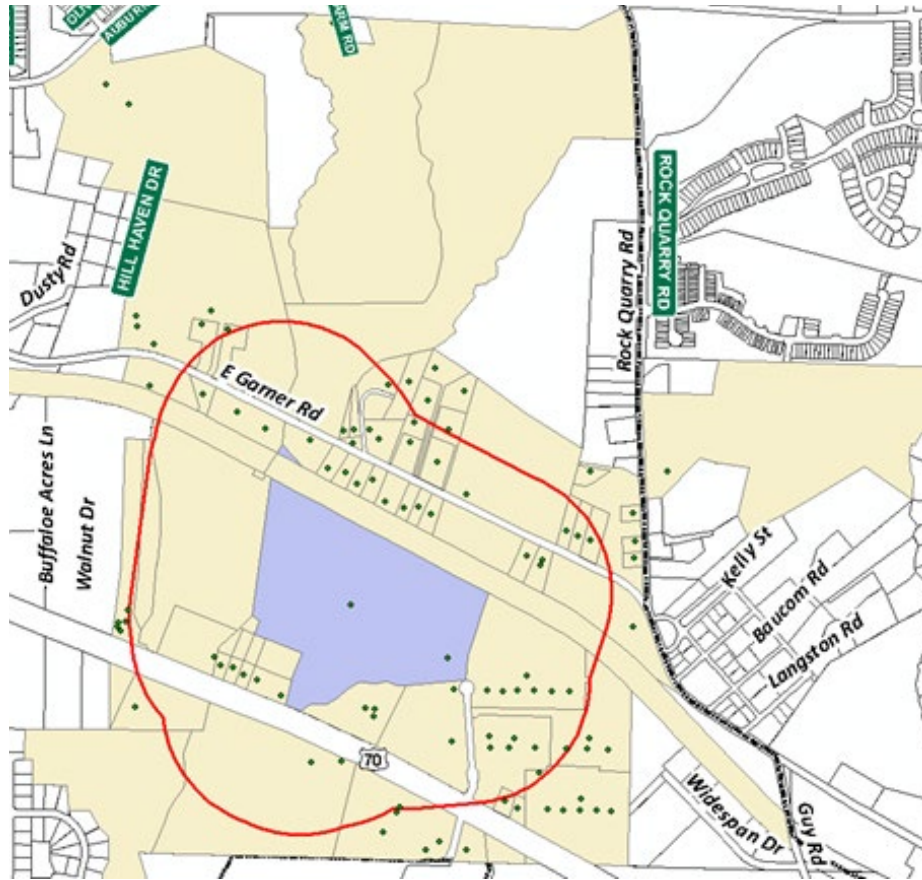


III. COMMUNITY INFORMATION

Overall Neighborhood Character: The area of the community around the site is mixed with light industrial uses and residential zoning. The zoning in the area is a mixture of residential uses, Commercial Mixed Use (CMX), Heavy Industrial (HI) and Light Industrial (LI). Although this parcel will sit outside of it, the area is influenced by the presence of the US Highway 70/ 401 Overlay (O-70) which is applied to uses within 450 feet of the US Highway 70/401 right-of-way.

Traffic: TIA traffic generation thresholds were not triggered by this development, nor were any specific concerns identified by the TRC.

Neighborhood Meeting: Staff identified approximately 76 properties within the notification radius as shown below and provided the list below to the applicant for first class mailed notices. The neighborhood meeting was held in person at the temporary job site trailer located at 1000 Garner Business Park Drive at 5:30PM on June 28, 2022. Three people were in attendance.



OWNER	ADDRESS 1	ADDRESS 2
APUGRAF HOLDINGS LLC	2700 E GARNER RD	RALEIGH NC 27610-9672
ALEXANDER, RANDY	2133 US HIGHWAY 70 E	GARNER NC 27529-9422
WILLIAMS, PATRICIA	2728 E GARNER RD	RALEIGH NC 27610-9672
PRICE, JOE LOUIS JR PRICE, JOEATTA PATRICIA	511 KIMLOCH DR	GARNER NC 27529-5121
ALEXANDER, RANDY	2133 US HIGHWAY 70 E	GARNER NC 27529-9422
ZAPATA, WALFIDO	2708 E GARNER RD	RALEIGH NC 27610-9672
MOUNT MORIAH BAPTIST CHURCH INC	3000 E GARNER RD	RALEIGH NC 27610-9678
LEE, EUNICE R	2149 US HIGHWAY 70 E	GARNER NC 27529-9422
COATS, ELAINE E	2597 SHOTWELL RD	CLAYTON NC 27520-8229
BROWN, EDITH HOPE JOHNSON MASSEY, BELINDA A JOHNSON	2121 US HIGHWAY 70 E	GARNER NC 27529-9422
GARNER CHRISTIAN FELLOWSHIP INC	PO BOX 744	GARNER NC 27529-0744
HINTON, JANET P	2517 E GARNER RD	RALEIGH NC 27610-9669
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500
JESSUP, MEREDITHE JESSUP, BERNADETTE ELAINE	2724 E GARNER RD	RALEIGH NC 27610-9672
BUFFALO MINI STORAGE LLC	233 SHADY HOLLOW LN	GARNER NC 27529-5096
CUNNINGHAM, BRENDA J CUNNINGHAM, MARK R	2716 E GARNER RD	RALEIGH NC 27610-9672
FIELDS, AIMEE L	7724 ROCK QUARRY RD	RALEIGH NC 27610-9634
SQUIRREL, DANIELLE LEE SQUIRREL, BRANT JEVON	7732 ROCK QUARRY RD	RALEIGH NC 27610-9634

OWNER	ADDRESS 1	ADDRESS 2
BONILLA, PAMELA ROSE BONILLA, CARLOS A	2901 E GARNER RD	RALEIGH NC 27610-9677
COATS-MELTON LLC	202 TIFFANY CIR	GARNER NC 27529-4327
YARBROUGH, DENNIS RALPH	2741 E GARNER RD	RALEIGH NC 27610-9673
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500
WATTS, LAURA LYNN GAUL, BARBARA WATTS	132 S HIDDENBROOKE DR	ADVANCE NC 27006-7298
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500
COATS, J J COATS, ELAINE E	2597 SHOTWELL RD	CLAYTON NC 27520-8229
JAIMES, AGUSTIN NIETO JAIMES, ESMERALDA NIETO	2828 E GARNER RD	RALEIGH NC 27610-9674
STORMS, JANET P STORMS, BOBBY GERALD	2512 E GARNER RD	RALEIGH NC 27610-9668
GRADY, BOBBY BRIAN	2521 E GARNER RD	RALEIGH NC 27610-9669
LEE, EUNICE R	2149 US HIGHWAY 70 E	GARNER NC 27529-9422
BUFFALOE ENTERPRISES LLC	233 SHADY HOLLOW LN	GARNER NC 27529-5096
ALEXANDER, RANDY	2133 US HIGHWAY 70 E	GARNER NC 27529-9422
BUFFALOE ENTERPRISES LLC	233 SHADY HOLLOW LN	GARNER NC 27529-5096
SEEDLING TECHNOLOGY CENTER LLC	PO BOX 620	GARNER NC 27529-0620
LA SANGRE DE JESUCRISTO	3631 EVANSTON WAY	WINSTON SALEM NC 27107-2001
RHODES, WILLIAM THOMAS	6205 MIAL PLANTATION RD	RALEIGH NC 27610-9646
ALEXANDER, RANDY	2133 US HIGHWAY 70 E	GARNER NC 27529-9422
BUFFALOE MINI STORAGE LLC	233 SHADY HOLLOW LN	GARNER NC 27529-5096
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH NC 27699-1500
CATES, JEFFREY PAUL CATES, NANCY STEWART	2632 E GARNER RD	RALEIGH NC 27610-9670
MCINTYRE, JOHN BAPTIST	2749 E GARNER RD	RALEIGH NC 27610-9673
WATTS, LAURA LYNN GAUL, BARBARA WATTS	132 S HIDDENBROOKE DR	ADVANCE NC 27006-7298
MCLEMORE, ANTHONY JOSEPH MCLEMORE, JULIE	2713 E GARNER RD	RALEIGH NC 27610-9673
ROBERTS, PATRICK G ROBERTS, ODETTE G	7712 ROCK QUARRY RD	RALEIGH NC 27610-9634
RADFORD, STEPHEN BRIAN	2909 E GARNER RD	RALEIGH NC 27610-9677
MOUNT MORIAH BAPTIST CHURCH	3000 E GARNER RD	RALEIGH NC 27610-9678
SPRINGFIELD BAPTIST CHURCH	4309 AUBURN KNIGHTDALE RD	RALEIGH NC 27610-8221
EDGE OF AUBURN LLC	PO BOX 19808	RALEIGH NC 27619-9808
JONES, TERRY MARTIN	4901 TV TOWER RD	GARNER NC 27529-9468
GARNER INDUSTRIAL I LLC	302 W 3RD ST STE 800	CINCINNATI OH 45202-3426
STALLINGS, LARRY ROGER	7608 AGGRAVATION LN	RALEIGH NC 27610-8600
SRPF D/GARNER BUSINESS PARK LLC	2001 ROSS AVE STE 400	DALLAS TX 75201-2916
SEEDLING TECHNOLOGY CENTER LLC	PO BOX 620	GARNER NC 27529-0620
ADAMS, JEANNETTE R HEIRS	C/O THOMAS D ADAMS JR	5979 WINDCHASE POINTE CT
RAYNOR, BOBBY CARLYLE RAYNOR, MARGARET F	1018 US 70 HWY W	GARNER NC 27529-2562
WATTS, LAURA LYNN GAUL, BARBARA WATTS	132 S HIDDENBROOKE DR	ADVANCE NC 27006-7298
MOONEYHAM, COLBY H MOONEYHAM, TYLER A	COLBY H MOONEYHAM	233 MARSH LANDING DR
SRPF D/GARNER BUSINESS PARK LLC	2001 ROSS AVE STE 400	DALLAS TX 75201-2916
BAILEY, DEBORAH R ROBERTS, PATRICK GORDON	7620 ROCK QUARRY RD	RALEIGH NC 27610-9632

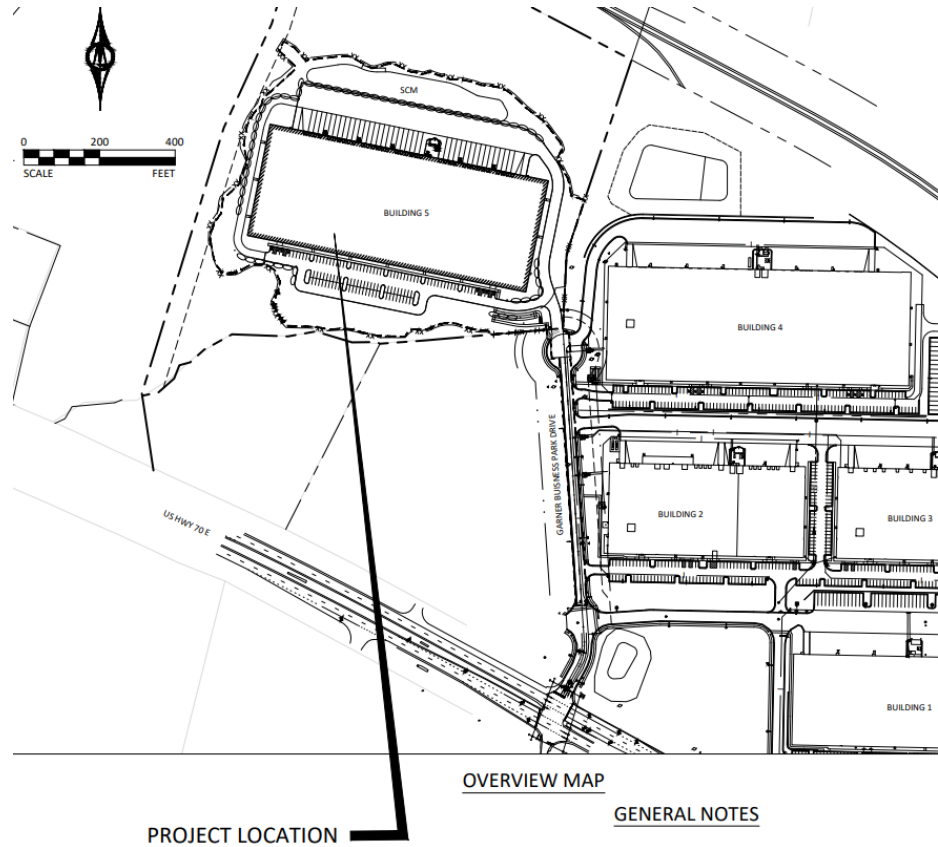
OWNER	ADDRESS 1	ADDRESS 2
LOCKAMON, DONALD R JR LOCKAMON, SANDRA C	2745 GARNER RD	RALEIGH NC 27610-4645
STAG NC HOLDINGS LP	STAG INDUSTRIAL MANAGEMENT LLC	1 FEDERAL ST FL 23
STORMS, JANET POWELL POWELL, LINDA SUE	PO BOX 1251	GARNER NC 27529-1251
MOONEYHAM, COLBY H MOONEYHAM, TYLER A	COLBY H MOONEYHAM	233 MARSH LANDING DR
L & L COMPANY LLC	2805 TOWNGATE DR	RALEIGH NC 27614-8920
NC RAILROAD COMPANY	2809 HIGHWOODS BLVD STE 100	RALEIGH NC 27604-1000
ROGERS, RICHARD TRUSTEE ROGERS, ANN R TRUSTEE	PO BOX 17671	RALEIGH NC 27619-7671
SRPF D/GARNER BUSINESS PARK LLC	2001 ROSS AVE STE 400	DALLAS TX 75201-2916
HARTMAN, ANNETTE KAY	2637 E GARNER RD	RALEIGH NC 27610-9671
JONES, TERRY MARTIN	4901 TV TOWER RD	GARNER NC 27529-9468
STORE MASTER FUNDING II LLC	250 PARKWAY DR STE 270	LINCOLNSHIRE IL 60069-4346
NC RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH NC 27604-1000
LA SANGRE DE JESUCRISTO	3631 EVANSTON WAY	WINSTON SALEM NC 27107-2001
NC RAILROAD COMPANY	2809 HIGHWOODS BLVD STE 100	RALEIGH NC 27604-1000
HOWELL, BRENDA J HOWELL, DAVID L	7600 AGGRAVATION LN	RALEIGH NC 27610-8600
BULLOCK, RUSSELL GENE SR BULLOCK, ANNETTE KAY HARTMAN	2637 E GARNER RD	RALEIGH NC 27610-9671
BULLOCK, RUSSELL GENE SR BULLOCK, ANNETTE KAY HARTMAN	2637 E GARNER RD	RALEIGH NC 27610-9671
WEBB, DEIDRE DUPREE	PO BOX 46895	RALEIGH NC 27620-6895

Meeting Summary: Project shared the proposed plans for the site and information about the existing buildings in the industrial park. There were questions regarding tenants and property values.

See full neighborhood meeting information attached at the end of this report for further detail.

IV. SITE PLAN PROJECT DATA

Acreage: 57.1 +/- acres
Units/Bldg. Size: 225,000 square feet
Plan:



Setbacks:
Front – 50'
Rear – 50'
Side – 25'
Corner Side – 35'

Landscape and Buffer Requirements: Landscaping requirements will be met with existing vegetation and supplemented with new plant material where required.

Tree Canopy Coverage:

- Minimum coverage required: 12.0%
- Provided: 49.28% preservation with additional coverage provided by new plantings.

Street Buffers: A 15-foot street buffer along Garner Business Park

Street Trees: Trees provided along public street frontage every 40 feet as required.

Perimeter Buffers: 15' buffer
(Limited Access Highway Overlay – 50 feet along NC 540)

Environmental Features:

Neuse River Buffer areas do exist on the site along with wetlands. If development does occur within environmentally sensitive areas, impact permits from appropriate state/federal agencies would be required.



Parks and Open Space:

Park land and open space are not required for non-residential development.

Fire Protection:

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

Lighting:

Site plan lighting meets both the requirements of the UDO and staff policy regarding LED fixtures.

Parking:

Parking for warehouse is based on 1 space per 5,000 square feet of floor area. Parking for office is 1 space per 300 square feet.

- Required: 113
- Proposed: 116

Infrastructure: **Water/Sewer** - The parcels will be connected to the City of Raleigh public water and sewer.



Stormwater Management: Garner V US Industrial is a commercial development site that is not located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen as well as water quantity requirements for the 1, 10, and 25 year storm events. This development plan proposes one wet retention pond to treat impervious surface from this site. This wet retention pond shall satisfy all water quality and water quantity requirements at this site for nitrogen and will detain the 1, 10, and 25 year storm events. A nitrogen offset payment will be required as part of this development.

Streets and Access and Frontage Improvements: The Garner V US 70 Industrial will be accessed from the cul-de-sac on Garner Business Park Drive, a public street constructed with the previous US 70 Industrial development. This street is already built to its ultimate section and there were no traffic-generated improvements for the development.

V. STAFF RECOMMENDATION

Following technical review and plan revisions, staff finds this project, as now proposed, meets the regulations of the Unified Development Ordinance and may be approved so long as the following project-specific conditions are met:

1. Prior to issuance of building permit, Engineering Inspection Fees, shall be paid to the Town of Garner;
2. Prior to issuance of building permit, the Garner Engineering Department shall be in receipt of documentation that a nitrogen offset payment has been made to an approved mitigation bank;
3. Prior to construction document approval, a Final Plat of Recombination shall be recorded with the Wake County Register of Deeds;
4. Prior to issuance of building permit, documentation that existing underground telephone has been removed by governing authority;
5. Prior to issuance of building permit, tree survey must be received and approved by the Planning Department to confirm tree preservation requirements; and
6. Prior to issuance of building permit, annexation request must be submitted to the planning department.

SUP-SP-22-09, Garner V- US Industrial 70

Special Use Permit Motion Worksheet

Choose one of the following motions based on your Council findings:

**1. MEETS THE
SPECIAL USE
CRITERIA
AND
APPROVE**

“I find that application # SUP-SP-22-09 meets the Town’s eight (8) criteria for special use permits as identified in Article 3.9.2.D.; therefore, I move that the Town Council approve SUP-SP-22-09, Garner V- US 70 Industrial with the six (6) 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:

Condition #3, etc.:

2. DOES NOT MEET THE SPECIAL USE CRITERIA AND DENY

"I find that application # SUP-SP-22-09 does not meet one or more of the Town's eight (8) criteria for special use permits as identified in Article 3.9.2.D:

(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. If completed as proposed, the development will **not** comply with all the requirements of this Ordinance
because/as evidenced by _____;
4. The proposed use is **not** consistent with the Town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of this UDO
because/as evidenced by _____;
5. The proposed use is **not** compatible with adjacent uses and proximate neighborhood 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 _____;
6. Any significant adverse impacts resulting from the use will **not** be mitigated or offset, including impacts on the natural environment.
because/as evidenced by _____;
7. 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 _____;
8. **Inadequate** assurances of continuing maintenance have been provided
because/as evidenced by _____;

therefore, I move that the Town Council deny SUP-SP-22-09, Garner V – US 70 Industrial.

<DATE>

<RECIPIENT NAME>

<ADDRESS 1>

<ADDRESS 2>

<CITY>, <STATE> <ZIP>

Dear Property Owner,

On behalf of the owners of 4839 Green Garden Road, Garner, NC 27529, I would like to invite you to attend a neighborhood information meeting concerning the development of said property. Specifically, Al. Neyer, LLC has requested a rezoning of said property from Rural Agricultural (RA) to Heavy Industrial Conditional (HI C257) to allow for the development of a 225,000 sf building for industrial use. The meeting details are as follows:

June 28, 2022
5:30 – 6:30 PM
Temporary jobsite trailer
1000 Garner Business Park Drive
Garner, NC 27529

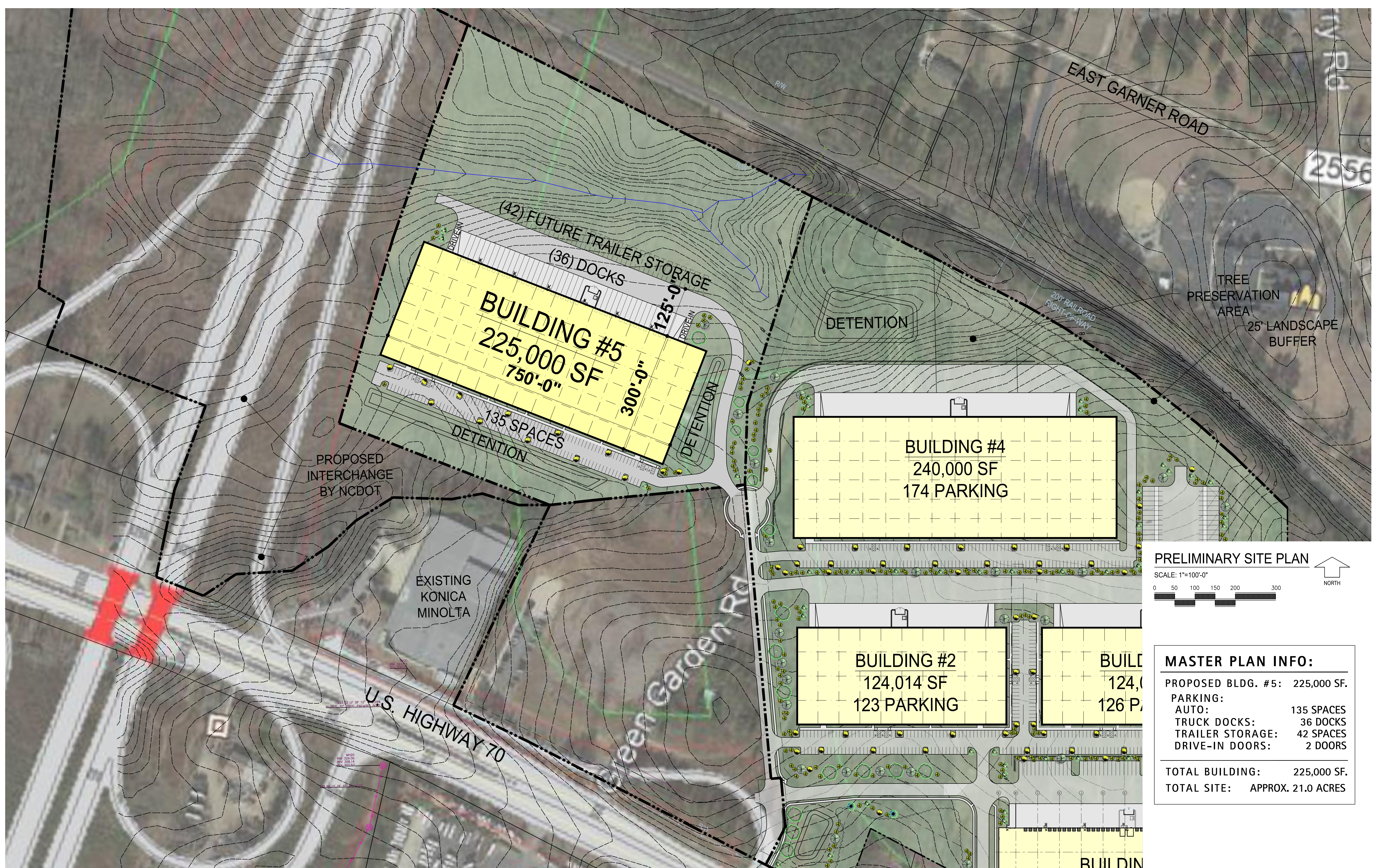
Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their 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. 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.

If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at (919) 624-3290 or wbone@neyer.com. We look forward to seeing you at the meeting.

Sincerely,

Wyatt Bone
Manager, Real Estate Development
Al. Neyer, LLC



PRELIMINARY SITE PLAN
 SCALE: 1"=100'-0"
 0 50 100 150 200 300
 NORTH

MASTER PLAN INFO:	
PROPOSED BLDG. #5:	225,000 SF.
PARKING:	
AUTO:	135 SPACES
TRUCK DOCKS:	36 DOCKS
TRAILER STORAGE:	42 SPACES
DRIVE-IN DOORS:	2 DOORS
TOTAL BUILDING:	225,000 SF.
TOTAL SITE:	APPROX. 21.0 ACRES

GARNER BUILDING 5

PRELIMINARY DESIGN | GARNER, NC | FEBRUARY 2, 2022

K:\PRELIMS\3700_75\3753_Garner_VI_NC\3753_2022-02-01_A1.dwg



A1

THIS DOCUMENT IS AN INSTRUMENT OF SERVICE OF THE DESIGN BUILDER, AL NEYER, L.L.C., WHO RETAINS FULL OWNERSHIP OF THE DOCUMENT AND INTELLECTUAL PROPERTY CONTAINED THEREIN, INCLUDING DESIGN CONCEPTS, DISTINCTIVE ARCHITECTURAL ELEMENTS, OR COMBINATION OF ELEMENTS. ANY USE, IN WHOLE OR PART, OF THE DOCUMENT OR INTELLECTUAL PROPERTY WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE DESIGN BUILDER IS STRICTLY PROHIBITED. ANY PERSON ENGAGING IN, OR ADDING AND ASSERTING SUCH UNAUTHORIZED USE, WILL BE HELD LIABLE TO THE FULL EXTENT PERMISSIBLE BY LAW.

Garner 5 Neighborhood Meeting Minutes

Meeting Date: June 28, 2022

Time: 5:30-6:30 PM

Location: Temporary Jobsite trailer at 1000 Garner Business Park Drive Garner, NC

Three neighbors attended the meeting. Attendance log is attached. The neighbors wanted to know what the proposed development plan was and how it would potentially impact their property. The development team shared the 225,000 sf building layout with the neighbors and explained the project was being developed speculatively similar to the existing Garner Business Park. The development team shared information about existing tenants. The development team explained the project would have no impact on the neighbor's property.



Wyatt Bone
Real Estate Development Manager
Attachments: Attendance Log

NAME

Address

Phone/Email

Joe & Joetta Rice 511 Kinkadee Dr.
GARNEY NC

919-3772-4108
jpr11247p@nc.com

Lorela Powell 2507 E. GARNEY NC
919-422-8137

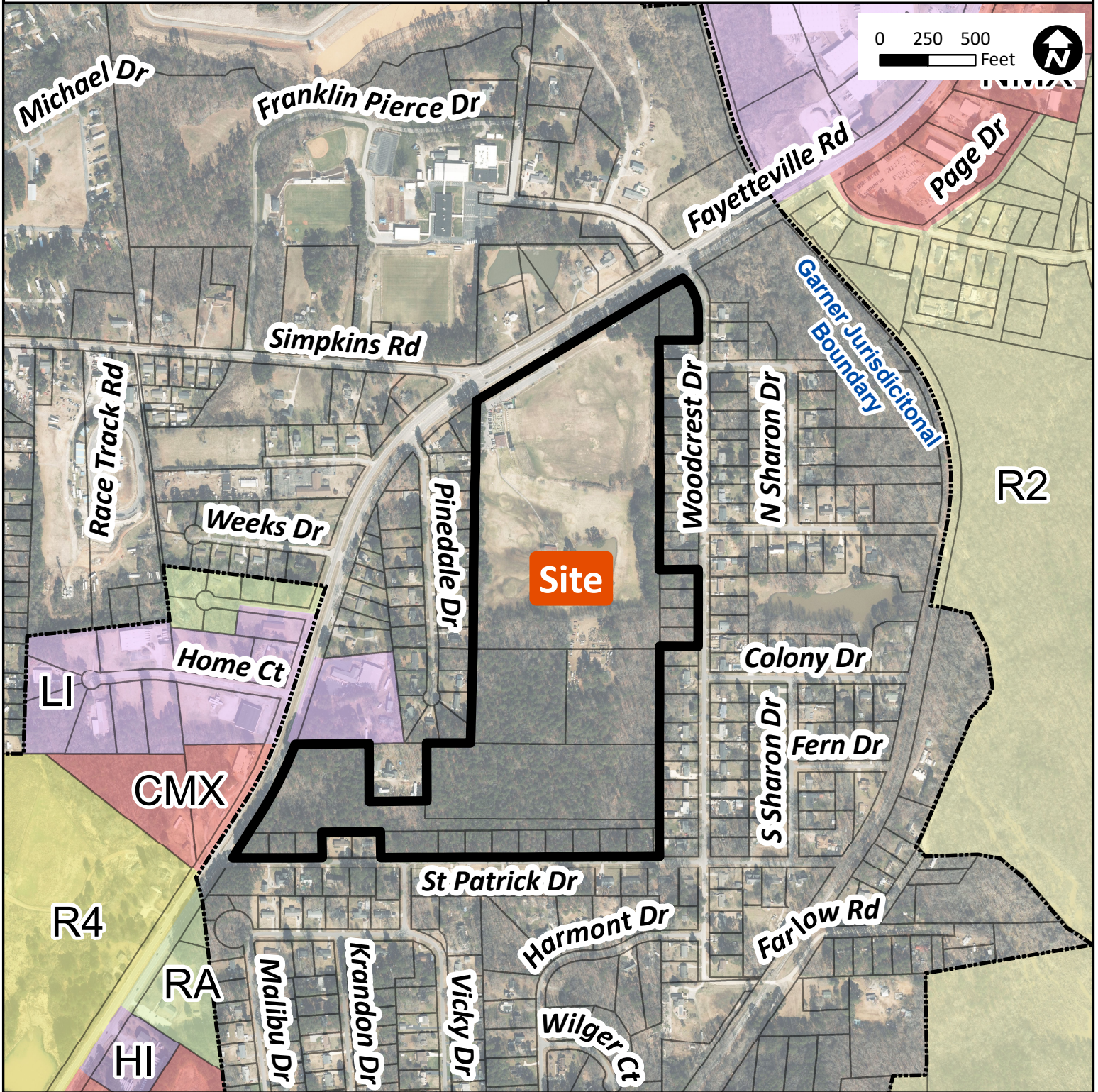
Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023		
Subject: Tier 2 Conditional Rezoning # CZ-PD-22-03, 401 Crossing		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Ashley Harris, Planner I		
Presenter: Ashley Harris, Planner I		
Brief Summary: Tier 2 conditional rezoning request submitted by the McAdams Company to rezone approximately 72.24 +/- acres from Wake County Residential 40 Watershed (R-40W) to Town of Garner Planned Unit Development (PD C15) Conditional for a mixed-use development of a maximum of 300 single-family residential units, 500 multifamily residential units, and 45,000 square feet of commercial space. The site is located on the southeast side of US 401 between Woodcrest Drive and St Patrick Drive and may further be identified as multiple Wake County PIN(s) - see staff report for full list.		
Recommended Motion and/or Requested Action: Consider motion of referral to Planning Commission for plan consistency review and recommendation.		
Detailed Notes: Zoning conditions are proposed that restrict the range of permissible uses and to provide architectural commitments for the buildings that address appearance and the quality of materials and construction.		
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:		
Town Clerk:		



Town of Garner Planning Department

Conditional District Zoning Application CZ-PD-22-03



Project: 401 Crossing
Applicant: McAdams
Owner: Multiple
Location: 5715 Fayetteville Road, et al.
Pin #: 0790897596, 0790884847, 0790889826,
 0790885319, 0790785341, et al.

Proposed Use: Planned Unit Development
 (Multiple Uses: See Report)
Current Zoning: R-40W (Wake County)
Proposed Zoning: PD C15
Acreage: 72.24
Overlay: Commercial Highway
 Overlay District



Planning Department Staff Report

TO: Honorable Mayor Marshburn and Town Council Members

FROM: Ashley Harris, Planner I

SUBJECT: *Tier 2 Conditional Rezoning # CZ-PD-22-03, 401 Crossing*

DATE: May 2, 2023

I. PROJECT AT A GLANCE

Project Number(s): CZ-PD-22-03, Tier 2 Planned Development Rezoning

Applicant: Laura Holloman, McAdams Co.

Owners: Johnson, L Alton Heirs, Joseph Ira Lee III, Peter Daniel Hudgins Jr, Lena R Hudgins, The Joseph I Lee Jr Revocable Trust, Ruth Johnson Lee

Designer: McAdams Co.

General Description -

Project Area & Location: 72.24 +/- acres

Wake County PIN(s): 0790781096, 0709788067, 0790889826, 0790884847, 0790886087, 0790886098, 0790780066, 0790897596, 0790992265, 0790992386, 0790992476, 0791902864, 0790992175, 0790885319, 0790981008, 0790882057, 0790783046, 0790981161, 0790885048, 0790881017, 0790785341, 0790785341, 0790889068, and 0790888028

Current Zoning: Wake County Residential 40 Watershed District (R-40W)

Requested Zoning: At time of application: Planned Unit Development (PD C15) Conditional
As of 7/5/2022: Commercial Mixed Use (CMX C15) Conditional

Overlay: At time of application: US 70/401 Overlay (O-70)
As of 7/5/2022: Commercial Highway Overlay (CHO)

Key Meeting Dates:

Public Hearing: May 2, 2023

Planning Commission: TBD

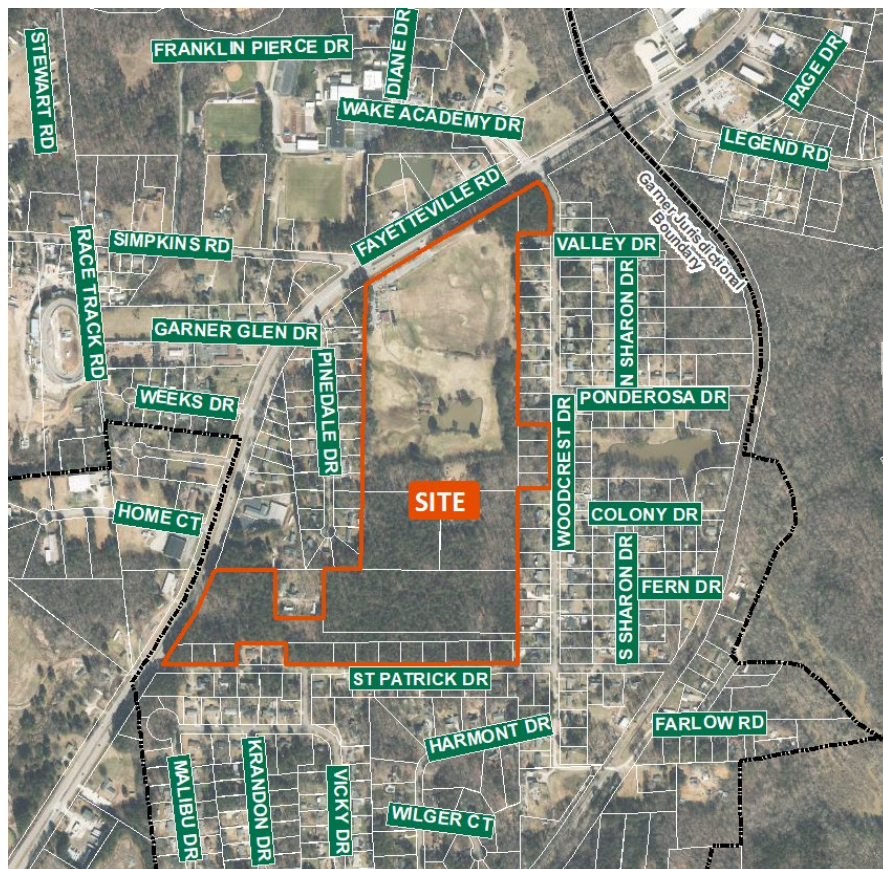
Action: TBD

II. BACKGROUND / REQUEST SUMMARY

Request: Tier 2 conditional rezoning request submitted by the McAdams Company to rezone approximately 72.24 +/- acres from Wake County Residential 40 Watershed (R-40W) to Town of Garner Planned Unit Development (PD C15) Conditional for a mixed-use development of a maximum of 300 single-family residential units, 500 multifamily residential units, and 45,000 square feet of commercial space. The site is located on the southeast side of US Highway 401 (Fayetteville Road) between Woodcrest Drive and St Patrick Drive and may further be identified as Wake County PIN(s) 0790781096, 07909788067, 0790889826, 0790884847, 0790886087, 0790886098, 0790780066, 0790897596, 0790992265, 0790992386, 0790992476, 0791902864, 0790992175, 0790885319, 0790981008, 0790882057, 0790783046, 0790981161, 0790885048, 0790881017, 0790785341, 0790785341, 0790889068, and 0790888028.

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

As of July 5, 2022, the Town Council approved ZTA-22-01 and CZ-22-01, adopting a new Unified Development Ordinance and establishing new zoning districts. The request is now amended to be rezoned from Wake County Residential 40 Watershed (R-40W) to Commercial Mixed Use (CMX C15) Conditional. However, due to permit choice rules, the request is to be considered according to the rules of the former UDO, which was in effect at the time of application (4/29/2022), governing the Planned Unit Development (PUD) district.



III. ZONING ANALYSIS

Existing: The site is currently zoned **Wake County Residential 40 Watershed** District. The R-40W zoning district is known as a residential watershed district. These districts allow very-low-density residential development in the form of single-family detached dwellings and duplexes. A limited number of non-residential uses are allowed, but only if the Wake County Board of Adjustment first reviews and approves a site plan and Special Use Permit for such use.

The following is a list of allowable uses in the Wake County R-40W District:

1. Attached House/Townhouse
2. Detached House/Single Family
3. Duplex, Triplex, 4-Plex
4. Lot Line House
5. Mobile Home
6. Family Care Home
7. Group Care Home (SUP)
8. Libraries (SUP)
9. Other Cultural Exhibits/Libraries (SUP)
10. Child Care Home
11. Child Care Center (SUP)
12. Adult Day Care Facility (SUP)
13. Botanical Garden/Arboretum (SUP)
14. Public Recreation (Assembly) Buildings (SUP)
15. All Other Public Parks Recreation
16. Parking, Park and Ride (SUP)
17. Religious Assembly (SUP)
18. Governmental (SUP)
19. School (SUP)
20. Veterinary (SUP)
21. Kennel
22. Shelter
23. Cemetery, Mausoleum, Columbarium (SUP)
24. Family Burial Grounds
25. Bed And Breakfast- Homestay & Residence (SUP)
26. Campgrounds (SUP)
27. Conference Center/Retreat House (SUP)
28. Day Camp (SUP)
29. Firearm/Archery Ranges and Clubs (SUP)
30. Equestrian Facilities/Riding Clubs/Stables (SUP)
31. Fishing Club (SUP)
32. Golf Course (SUP)
33. Golf Course (As Part of Subdivision) (SUP)
34. Marina/Boating Facility (SUP)
35. Recreational Farms/Ranched (SUP)
36. Swimming Pool/Tennis Club (SUP)
37. Swimming/Tennis Club (As Part of Subdivision)
38. Wildlife/Game Preserve (SUP)
39. Outdoor Recreation/Entertainment (SUP)
40. Neighborhood/Convenience-Oriented Retail (w/o Gas Sales) (SUP)
41. Recycling Collection (Household Collection Only) (SUP)
42. Elimination And Redevelopment of Nonconforming Use (SUP)
43. Farm Serving Uses, Class 1 (SUP)
44. Farm Serving Uses, Class 2 (SUP)
45. Farmers Market (SUP)
46. Farmers Market as Part of Public-Civic Use Group
47. Forestry
48. Local Agricultural Market (SUP)
49. Solar Energy Systems (SUP)
50. Special Events (SUP)
51. Static Transformer Stations, Radio/Tv and Towers, Relay Station (SUP)
52. Telecommunications Facility
53. Water Tower

Proposed: The proposed zoning of the site is **Planned Unit Development (PD C15) Conditional**. The PUD district is intended to provide for a mix of uses, including commercial and residential uses. PUD provisions are intended to encourage creativity in the design and planning of parcels by allowing greater design flexibility than the underlying base districts to protect natural features and concentrate development in more suitable or less environmentally sensitive areas.

The applicant has proposed the following zoning conditions for the PD C15 District:

1. Permitted Use Table

Use Category	Specific Use	PD C15
Household Living*	Two-Family Dwelling	P
	Townhouse	P
	Multifamily (triplex and higher, including Apartment)	P
Community Service	Library, Museum, Art Gallery, Art Center	P
Day Care	Adult Day Care	P
	Day Care Center	P
Educational Facilities and Services	Music/Dance/Art Instruction	P
Health Care	Medical Clinic	P
Institutions	Nursing Care Institution	P
Entertainment	Theater	P
	Gym, Spa, Indoor Tennis Court or Pool, Private	P
	Indoor Entertainment Facility	P
Office	Medical Office, Individual	P
	Other Office	P
Religious Institution		P
Restaurants	Restaurant, Drive-In or Outdoor Curb Service	P
	Restaurant, Indoor, with Seating Only	P
	Restaurant with Seating and Drive-Through Window	P
	Restaurant, Take-Out Only (Drive-Through or Walk Up)	P

Use Category	Specific Use	PD C15
Retail Sales and Service	Personal Service Oriented Use (excludes commercial greenhouses or any use with outdoor operations)	P
	Hair Salons, Beauty Shops, Barbershops	P
	Banks or Financial Institution	P
	Repair Oriented Use (No Outdoor Operations)	P
	Sales Oriented Use (No Outdoor Operations)	P
	Veterinarian/Kennel, Indoor	P
Vehicle Sales and Service	Car Wash (accessory use only)	P
	Convenience Store with Fuel Sales (minimum retail area 3,000 sf)	P
	Vehicle Service, Limited	P

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

2. Developed open space, calculated at 25% of the total developable area (Garner UDO Section 8.2) shall contain a minimum of three (3) of the following elements: paved walking trails; cornhole boards; butterfly garden; seat wall; bench; dog park; community garden; cut flower garden; playground; enhanced landscaping.
3. The existing pond will remain as an environmental and amenity feature. The pond's area shall remain either its current size or greater. The pond shall include at least two of the following:
 - Benches
 - Gazebo
 - Enhanced landscaping
 - Natural (paved) walking trail(s)
4. On-site recreational facilities shall include:
 - A pool
 - Playground
 - Fitness center
 - Passive open space.
5. Perimeter buffer shall be a minimum of 30 feet. Existing trees and vegetation will be used with supplemental plantings in sensitive areas.
6. Foundation condition - will follow developer standards for foundation band board.
 - Townhomes shall have a 12" foundation band board.
 - Cottages shall have an 8" foundation band board.

7. A varied color palette shall be utilized on buildings for each residential portion of the development to include a minimum of two color families for siding and shall include varied trim, shutter, and accent colors complimenting the siding color.
8. Townhomes, cottages, and duplexes that have frontage on a right-of-way shall have trim around the windows on rear and side elevations.
9. The following shall apply to townhome buildings: Roof line cannot be a single mass; it must be broken up either horizontally and/or vertically between, at a minimum, every other unit.
10. Three of the following decorative elements shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
11. Fences not exposed to common open spaces or surrounding stormwater ponds shall be powder-coated aluminum picket type fencing.
12. Vinyl siding shall be prohibited as a building material except as a trim option.
13. All garage doors shall be affixed with carriage door adornments and windows.
14. Multifamily amenity area shall include:
 - A minimum 3,000 sf clubhouse;
 - A minimum 2,500 sf swimming pool; and
 - All to be constructed within 18 months of issuance of multi-family building permit.
15. Multi-family apartments shall not use vinyl siding and shall have:
 - Cementitious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features - the masonry component shall be a minimum of fifty percent (50%) per building;
 - Other accessory buildings may only have a masonry wainscot;
 - Offsets in the plane of each facade for each apartment building;
 - Either masonry embellishment or 1x4 casing on all windows.
16. Non-residential buildings shall have architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping may be incorporated to add visual interest. Large expanses of blank walls, greater than 25' in length or height, shall be broken up with architectural features such as windows, awnings etc. to reduce visual impacts.
17. Non-residential building roof features shall include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
18. Amenities that will serve a particular phase shall be built concurrently with that phase.

19. Access shall be granted to the Carleton property identified by REID 001329 via an access easement.
20. All road frontage improvements shall be made in accordance with the approved TIA (diagram showing committed improvements immediately following this sheet).
21. Streets shall be improved per TOG standards. Each street section shall be improved as follows, Fayetteville Road should be improved to half of a 6-lane thoroughfare with curb, gutter, and a 10' asphalt side path. St. Patrick Dr. and Woodcrest should be improved to half of a major local section with curb, gutter, and sidewalk.
22. Access shall be provided to Wake County PIN 0790787494.

Overlay Districts: This property falls within the **US 70/401 Thoroughfare Overlay District**. This overlay district has additional development standards and use restrictions for properties with frontage along these two corridors. The overlay is explained in Article 4.11 of the UDO. There are several uses that are prohibited or restricted within the overlay district.

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

Prohibited uses adjacent to or within 150 feet of existing residential uses: The following may be expressly included in whole or in part in the proposed use list provided above and are prohibited as noted unless more stringently prohibited by the base zone.

- a. Hotel/motels
- b. Pool halls/bowling alleys only
- c. Bars/night clubs/ABC-permitted private clubs

None of the prohibited overlay district uses within 150 feet of existing residential uses are included in the proposed use list provided above.

Restricted uses with additional standards (site layout, screening): The following may be expressly included in whole or in part in the proposed use list provided above and are restricted by additional standards unless more stringent standards are already required by the base zone or they are not permitted by the proposed use list provided above.

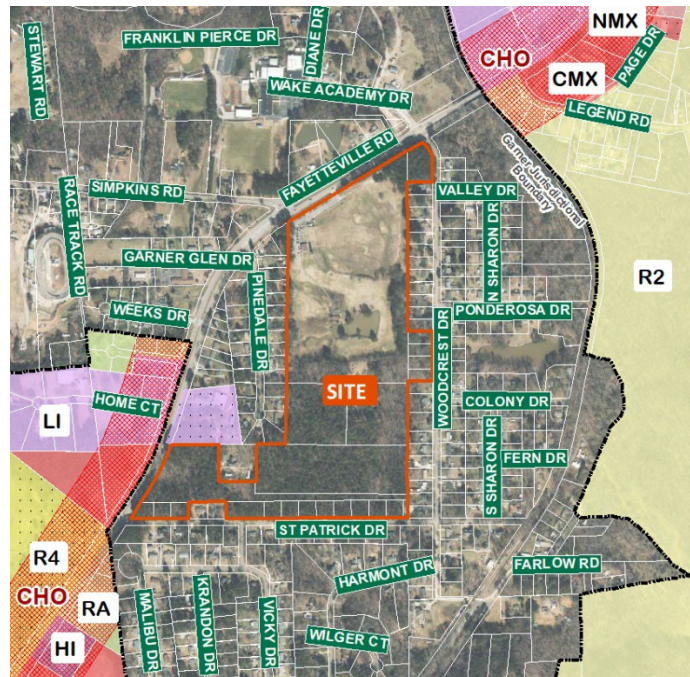
- a. Uses with outdoor storage, display, or goods for sale
- b. Manufactured home sales lots
- c. Motor vehicle sales lots
- d. Automobile service centers
- e. Automobile repair and body shops
- f. Veterinarians or kennels
- g. Truck terminals
- h. Car washes

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

Case	Applicant	Location	Zoning Change
CUD-Z-89-3	Longbranch Development Company	Malibu Drive	R-40W & 80W to R-12 PR C29 and SB C30
CUD-Z-96-5	Town of Garner	Fayetteville Road	R-40 to SB C22
PD-Z-14-01	Tony M. Tate	Fayetteville Road (Swift Creek Station)	SB C22, Residential-12 PR C54, Residential-12 PR C29 to TND C2
PD-Z-19-01	Forsyth Investments Company, LLC	Georgia’s Landing	Single-Family R-40 to PRD C6
CZ-22-06	Four O One South LLC	Fayetteville Road	Wake County HD to LI C268

Adjacent Zoning and Land Use:

- North:** Wake County R-40W Single Family Residential/ Wake Christian Academy
- South:** Wake County R-40W Single Family Residential / Colonial Heights
- East:** Wake County R-40W Single Family Residential / Colonial Heights
Garner Light Industrial (LI) Commercial/ Crown Flooring
- West:** Wake County R-40W Single Family Residential/ Pinedale Acres



IV. COMMUNITY INFORMATION

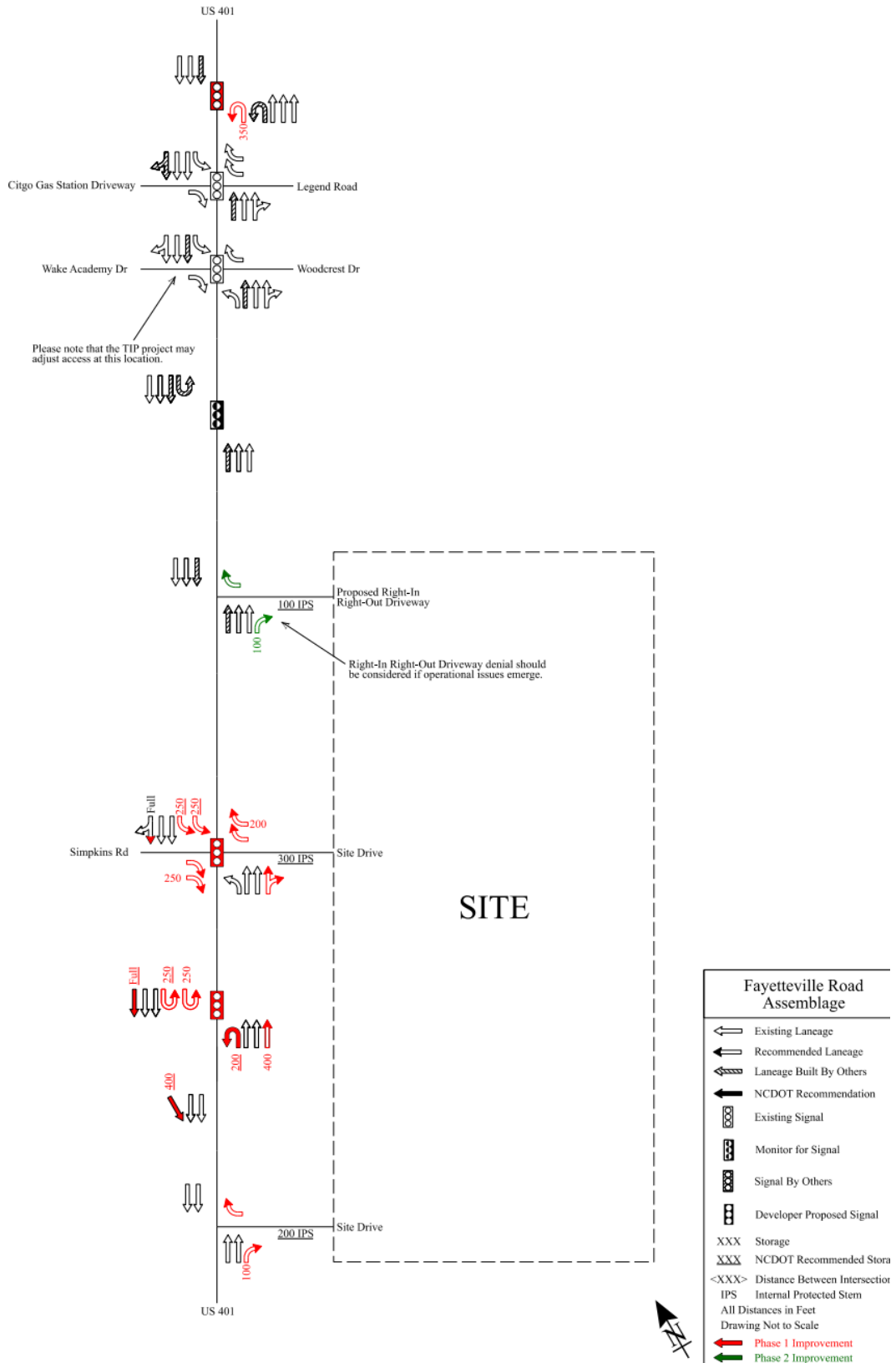
Overall Neighborhood Character: A mixed area of existing county residential subdivision and highway-oriented development. The area is heavily influenced by US 401 as the primary traffic facility in the immediate vicinity.

Traffic: The project will have approximately 1,250 feet along Fayetteville Road at the North property line and 550 feet of frontage along Fayetteville Road at the west side of the property. As general background information only, the NCDOT average daily traffic count history in this area is as follows:

- Year 2011 – 31,000
- Year 2013 – 32,000
- Year 2015 – 33,000
- Year 2017 – 32,000
- Year 2019 – 39,000
- Year 2021 – 29,500

A traffic impact analysis (TIA) was required by both the Town and NCDOT. It was completed in July of 2022, with an additional addendum completed in December of 2022. NCDOT's Congestion Management Unit recommended the addition of multiple signalized intersections along US 401. They also recommended additional turn lanes to allow for full movement in and out of the site. The northernmost and southernmost accesses will be right-in/right-out accesses with additional turn lanes recommended on US 401.

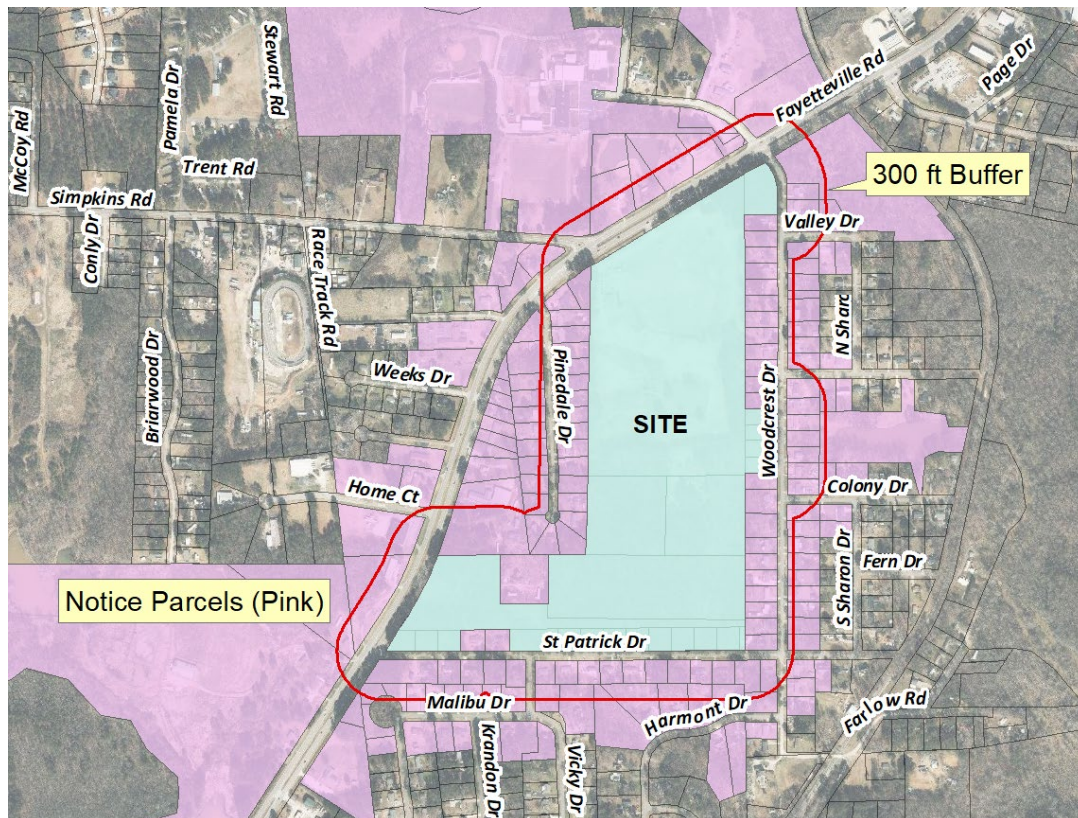
Committed Traffic Improvements



Neighborhood Meeting: A neighborhood meeting was held May 16, 2022, at 6:00 PM in the Garner Senior Center. There were approximately 40 people in attendance.

Neighborhood Meeting Summary: There were questions regarding the housing products being offered, stream and water quality, landscape buffers and screening, open space, street connections, utilities, the price point of the units, road connections and improvements, impervious surface limitations, the plans for the retail component, and the timeframe for future build-out.

See full neighborhood meeting information attached at the end of this report for further detail.



Supplementary Neighborhood Meeting: Although not required, the applicant held a second neighborhood meeting on March 14, 2023. There were approximately 20 people in attendance.

Neighborhood Meeting Summary: There were questions regarding buffer widths, building heights and sizes, DOT approvals, the traffic impact analysis, parking, drainage and impervious surfaces, utility service, overall numbers of dwelling units, timelines, commercial uses, and an adjacent septic field.

See full neighborhood meeting information attached at the end of this report for further detail.

V. PLANNED DEVELOPMENT PROJECT DATA

Acreage: 72.24 +/- acres
 Residential: 68 +/- Acres
 Commercial: 5 +/- Acres

Units/Bldg. Size:

Land Use	Percentage	Maximum Units/SF Allowed
Single-Family Residential	25-40%	250-300 units
Multi-Family Residential	30-45%	400-500 units
Commercial, Office & Retail	4-10%	45,000 sf
Open Space	25%-35%	-

Master Plan:



Buildings:

Sampling of elevations:

FOUR UNIT TOWNHOUSE ARCHITECTURAL DETAILS

RENDERINGS

*Elevations are conceptual and subject to change.



*Landscaping shown is not representative of 401 Crossings landscaping. Landscaping and foundation plantings will be native and locally adaptive plant material.

SIX UNIT TOWNHOUSE ARCHITECTURAL DETAILS

RENDERINGS

*Elevations are conceptual and subject to change.



*Landscaping shown is not representative of 401 Crossings landscaping. Landscaping and foundation plantings will be native and locally adaptive plant material.

COTTAGE COURT ARCHITECTURAL DETAILS

RENDERINGS

*Elevations are conceptual and subject to change.



*Landscaping shown is not representative of 401 Crossings landscaping. Landscaping and foundation plantings will be native and locally adaptive plant material.

MULTI-FAMILY ARCHITECTURAL PRECEDENT



Lots and Setbacks:

Perimeter setback: A minimum 25-foot setback along the entire development perimeter is required, except where single-family residential lots of the standard required square footage of the district in which they are located, abut similar single-family development.

The setback from any street bordering the PUD tract is 35 feet unless a greater setback is required by the UDO.

Building separation: A minimum separation between single-family and multifamily buildings of 60 feet is required.

Landscape and Buffer Requirements:

Tree Canopy Cover:

- Residential: Sliding scale from 18-20% to be met
- Commercial: Sliding scale from 12-14% to be met

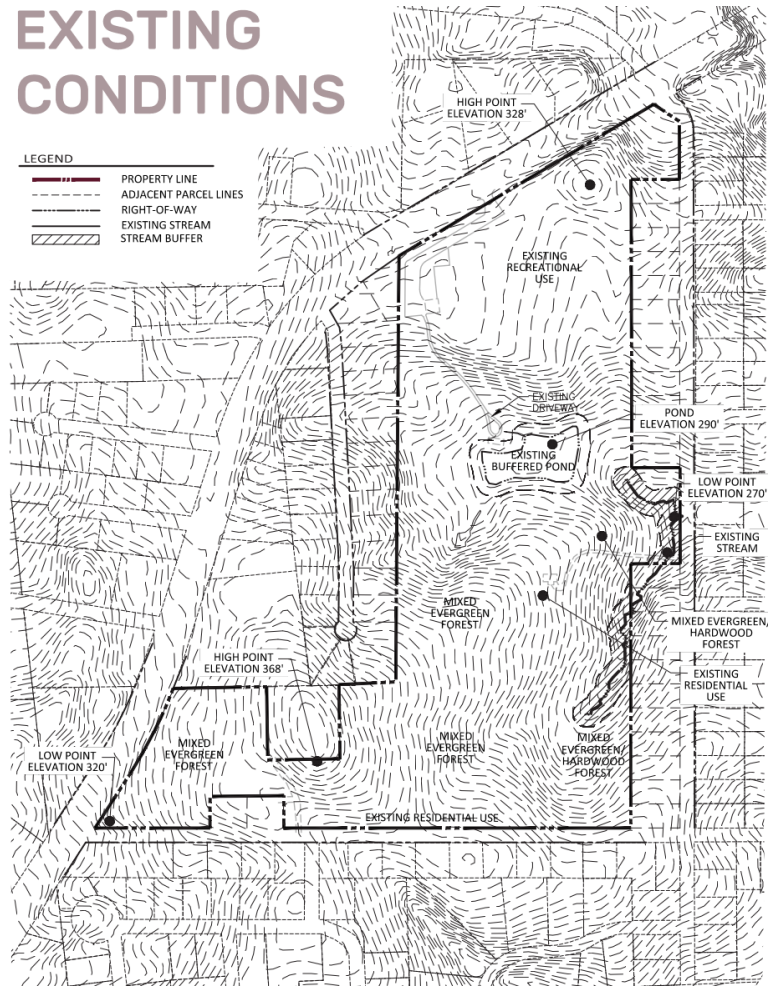
Perimeter Buffers:

- A 25' perimeter buffer required, however a minimum 30' perimeter buffer will be provided.
- A 7.5' street buffer required along US 401.
- Screening and buffering between uses within the PUD shall be in conformance with Article 7.

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

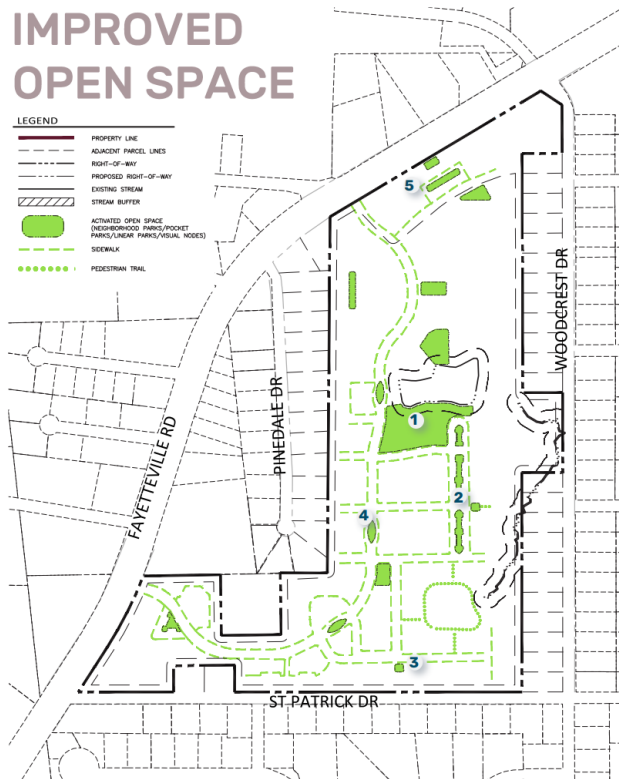
Environmental Features:

There are no FEMA designated floodplains on site. There is an existing pond near the center of the site along a stream that is proposed to remain. The stream below the pond and another branch to the south have riparian zones and will be buffered.



Parks and Open Space: *Open Space*

- Total open space required: 25%
 - Total open space planned: PUD envisions 25-30% open space.
- Open space areas will be maintained by an HOA or property manager. Required open space will be met with a combination of qualifying conservation areas and recreation space. Recreation space will include a neighborhood amenity, linear pocket park, pocket park, landscape nodes, and a commercial open space area.

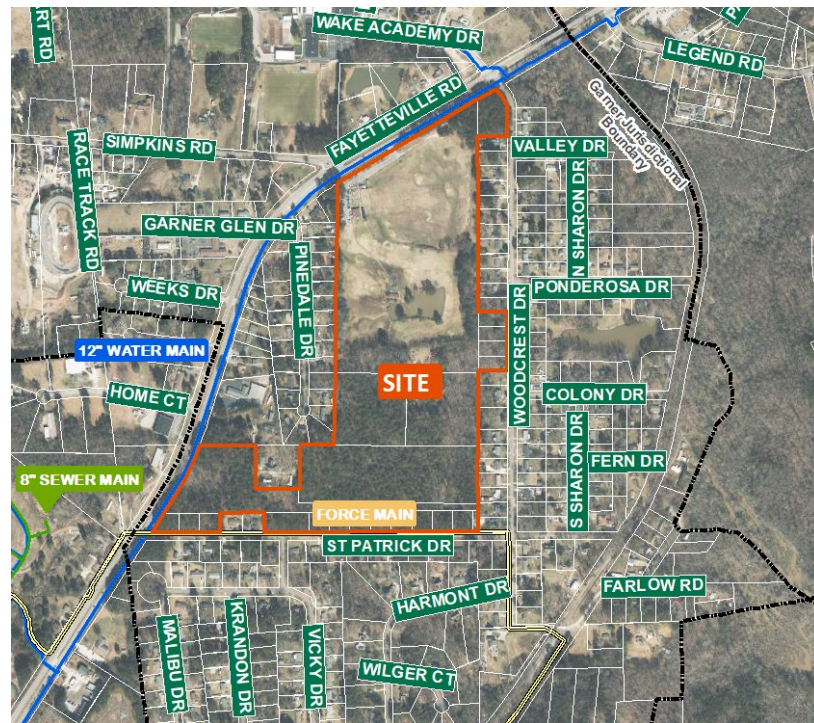


Lighting: To meet UDO requirements.

Infrastructure: *Stormwater Management* – 401 Crossing is a mixed-use development that is located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen as well as water quantity requirements for the 1-, 10-, and 25-year storm events. The development plan proposes four stormwater control measures (SCMs). These SCMs shall satisfy all water quality and water quantity requirements at this site for nitrogen and will be required to detain the 1-, 10-, and 25-year storm events.

Water/Sewer – The site will be served by City of Raleigh water and sewer infrastructure. The proposed water system will comply with section 8.4.7 of the UDO and the City of Raleigh Public Utilities Handbook. A connection will be made to an existing water main in Fayetteville Road (US 401), and a water main will be extended along the property frontage on St. Patrick Drive. For the frontage along Woodcrest Drive, a fee-in-lieu will be paid for a future water extension. Fire Hydrants will also be provided in accordance with Section 8.4.9 of the UDO.

The proposed sanitary sewer system will comply with Section 8.4.5 of the UDO and the City of Raleigh Public Utilities Handbook. The sanitary sewer system shall be designed to collect all wastewater from the site and directed off-site to a proposed sanitary sewer outfall that will extend from the eastern boundary of the site to a 24-inch outfall currently under construction at Rollman Farms.



Transportation/Access – The project will have two primary points of access on US 401 and one additional fire/emergency access, which has been coordinated with the Town’s Fire Inspector. Additional minor points of access are anticipated along the commercial frontage. Access has been coordinated with the adjacent land-locked Carleton property identified by REID 001329 via an access easement. Additional pavement, curb, gutter, and sidewalks will also be required along the frontages.

VI. PLAN CONSISTENCY

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

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

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

VII. REASONABLENESS

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

VIII. RECOMMENDATION

Staff recommends that once the Town Council has heard comments, concerns, and questions from the public that Conditional Zoning request CZ-PD-22-03 be referred to the Planning Commission for their review and recommendation regarding plan consistency.

May 2, 2022

RE: Neighborhood Meeting – 401 Crossing

Dear Property Owner,

On behalf of the owners of 0 Woodcrest Dr (PIN 0791902864), 5828 Woodcrest Dr (PIN 0790889826), 0 Pinedale Dr (0790884847), 0 St Patrick Dr (PIN 0790885319), 0 Fayetteville Rd (PIN 0790785341), 1912 St Patrick Dr (PIN 0790780066), 1910 St Patrick Dr (PIN 0790781096), 1904 St Patrick Dr (PIN 0790783046), 1808 St Patrick Dr (PIN 0790788067), 1714 St Patrick Dr (PIN 0790881017) 1708 St Patrick Dr (PIN 0790882057), 1700 St Patrick Dr (PIN 0790883098), 1612 St Patrick Dr (PIN 0790885048), 1610 St Patrick Dr (PIN 0790886087), 1604 St Patrick Dr (PIN 0790888028), 1600 St Patrick Dr (PIN 0790889068), 1518 St Patrick Dr (PIN 0790981008), 1514 St Patrick Dr (PIN 0790981161), 0 Woodcrest Dr (PIN 0790992175), 0 Woodcrest Dr (PIN 0790992265), 0 Woodcrest Dr (PIN 0790992386), 0 Woodcrest Dr (PIN 0790992476), and 5715 Fayetteville Rd (PIN 0790897596), I would like to invite you to attend a neighborhood information meeting concerning the development of said property. Specifically, SLI Capital and GTIS Partners has requested a rezoning of said property from R-40 Single Family (40,000 s.f. lots) to Planned Unit Development (PUD) to allow for the development of both commercial businesses and residential. The meeting details are as follows:

May 16, 2022
6:00-8:00PM
Garner Senior Center
205 E Garner Road
Raleigh, NC 27529

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 intention 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.

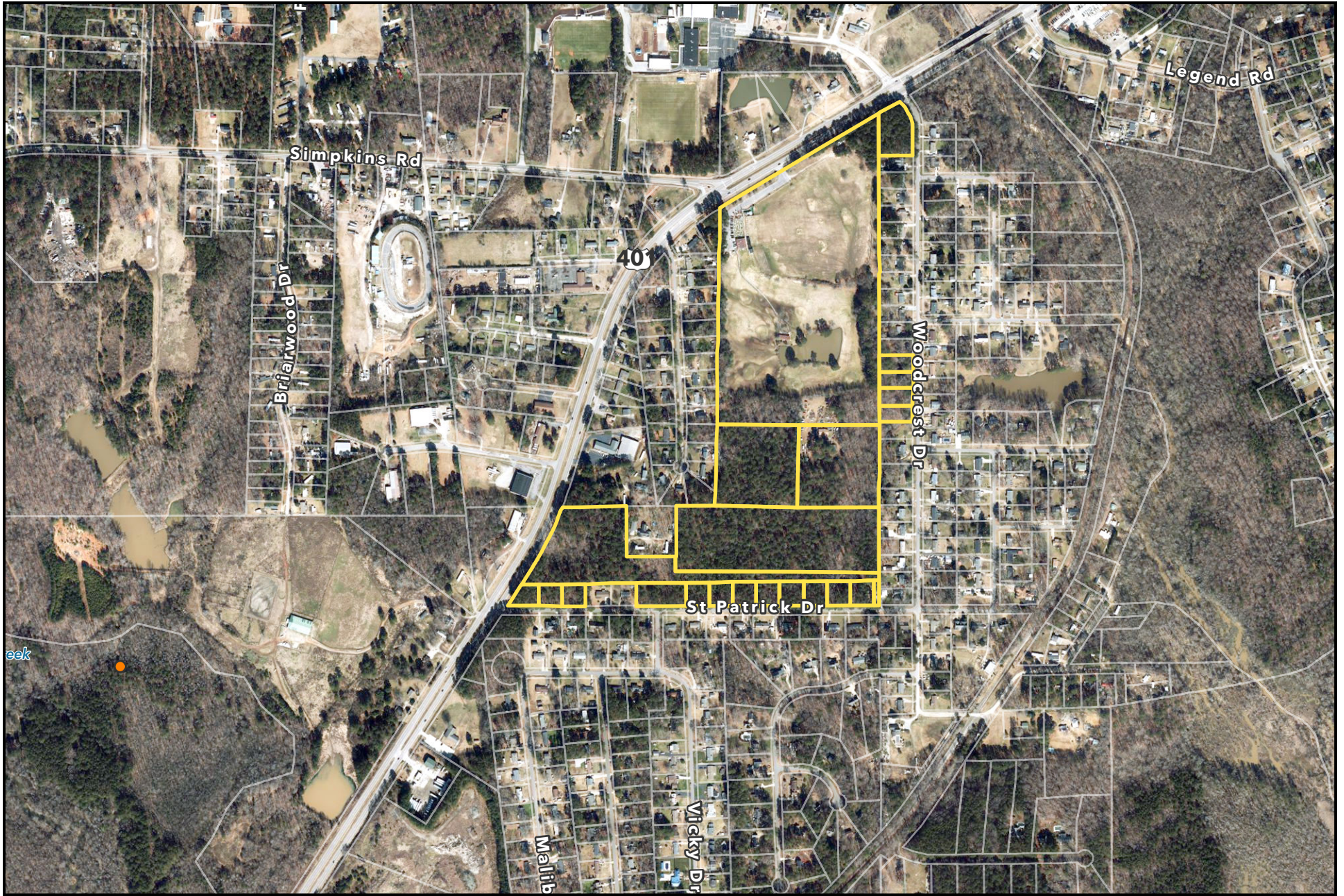
Town Planning staff will not be in attendance at this meeting. Property owners within the notification area will receive a separate notice from Town Planning staff when a public hearing is scheduled before the Garner Town Council.

If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at 919-610-7377 or holloman@mcadamsco.com. We look forward to seeing you at the meeting.

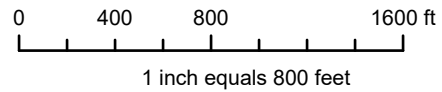
Sincerely,
MCADAMS



Laura Holloman, AICP
Sr Planner, Planning + Design



401 Crossing Map



Disclaimer
 iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Neighborhood Meeting Sign-In Sheet

Name	Property Address	Email
Heide Rumble	5702 Woodcrest	heide.rumble@gmail.com
Jane + Michael Steffens	1409 St Patrick	janeaustin123@hotmail.com
Morgie Eutsler	1704 Pinedale Dr.	Margaret.eutsler@gmail.com
Carlton & Gail Whitaker	5921 Fayetteville Rd - St. Patrick Dr.	CARLTON@gmail.com
Joyce + RALPH RACKLEY	6204 MALIBU DR	RPRACKLEY@YAHOO.COM
Gary & Shannon Franks	5626 Fayetteville Rd.	gsfranks@nc.rr.com
Adam Black	5618 Woodcrest Dr.	audioadam@gmail.com
Billy Tomlinson	5833 Woodcrest Dr.	GIANNY AND PAPA 7@gmail.com
Jack & Serena Matthews	1812 Pinedale Dr.	Jackserena4@aol.com
Michael + Ineva Sturgill	1712 Pinedale Dr	msturgill@windspring.com
Greg Anex	5931 Woodcrest Dr	greganex@gmail.com

Neighborhood Meeting Sign-In Sheet

Name	Property Address	Email
Anna G. Collins	6113 Vizky Drive Raleigh, NC 27603	chunterc@nc.rr.com
CORA LEE ADAMS	1613 ST. PATRICK	ADAMS1613@HOTMAIL.COM
Rose Carroll	1715 St. Patrick Dr. Raleigh, NC 27603	mrcarl@bellsouth.net
CROWELL ROBERSON	6212 Malibu Dr Raleigh NC 27603	crosroberson@yahoo.com
David Smith	1913 ST. Patrick Dr. RALEIGH, NC 27603	DavidLSmith5000@gmail.com
Evelyn Clowers	1517 St. Patrick Dr. Raleigh, NC 27603	esclowers@aol.com
Linda Morrow	1520 Harmon Dr Raleigh, NC 27603	linda.morrow@nc.rr.com
WALTER Oberholtzer	5607 Woodcrest Dr. Raleigh, NC 27604	
STEPHEN Ashby	1605 Pinedale Dr	STEPHENASHBY13@gmail.com
CHELSEA ASHBY	5405 FAYETTEVILLE DR.	
BRADLEY MORROW	5908 WOODCREST DR	BRAD27511@GMAIL

Neighborhood Meeting Sign-In Sheet

Name	Property Address	Email
CASEY NESBITT	1709 Pinedale	caseynesbitt@gmail
Art Cielo	1701 Pinedale	Art@Blueoakinvesting.com and Wes@Blueoakinvesting.com
Melvin Watson	5942 Woodcrest	mwatson5@bellsouth.net
GAUL Johnson	5914 S. Sharon	johnson 1227@ NC.RR.com
Kim + Mike Brumbles	1716 Pinedale Drive	Ksbrumbles@gmail.com mikebrumbles@icloud.com
Nathan Thomas SE	5938 Woodcrest Dr.	nathanthomas110@gmail.com
SETH PENNY	5819 Woodcrest Dr, plus 4 Ac pond	WORLD PENNY FAMILY @ GMAIL DOT COM 919-772-0664 919-250-7889 cell
Klein, Susan	1401 Valley Dr Raleigh NC	AFTER DARK 2015 @ Gmail 631-764 4633
Kevin & ERICA Adams	5703 N. Sharon Dr Raleigh NC 27603	KEADAMS429@ATT.NET 919-255-0040
LYNSIE + RYAN BARNES	5712 WOODCREST DR RALEIGH, NC 27603	WILLIAMS.LYNSIE@GMAIL.COM (919) 607-5929
Emily Waters	1903 Saint Patrick Dr Raleigh, NC 27603	ncwaterse@.gmail 919.534.5504

Neighborhood Meeting Sign-In Sheet

Name	Property Address	Email
Hsiang-Ting Yen	1709 St Patrick	w06sharon@gmail.com
Nathan Blanton	Dr. Ralych	nathan-blanton@gmail.com

Neighborhood Meeting Sign-In Sheet

Name	Property Address	Email

401 Crossing 5/16 Neighborhood Meeting Minutes

Presenters: Laura Holloman, McAdams
 Michael Birch, Longleaf Law Partners
 Melanie Rausch, McAdams
 Bryan Kane, SLI Capital
 Bill Mumford, GTIS Partners
 Andy Kerkhoff, GTIS Partners
 Robert McCall, GTIS Partners
 Macklin Grant, GTIS Partners
 Nathaniel Tauber, GTIS Partners

Meeting Start time: 6:00

- Michael Birch introduced the team and gave an overview of the meeting topics of discussion.
- Mr. Birch described the rezoning process and the stage of that process the project is currently in.
- Laura Holloman presented both the vicinity map displaying the project area, and the existing zoning, and explained the annexation process. Ms. Holloman clarified that this project's annexation will not mean surrounding properties will be annexed.
- Ms. Holloman continued to present the Garner Forward Future Land Use Map and explained the commercial identification on the future land use map.
- Ms. Holloman displayed the project's Land Use and Open Space Map and explained the circulation and proposed land uses. Ms. Holloman explained the 30-foot buffer that is proposed and expressed the possibility of pedestrian connections if the neighbors would prefer it.
 - The neighbors did not express interest in pedestrian connections.
- Neighbor Question: What type of homes will be in the single-family area?
 - Laura Holloman: A new concept of for-rent product both single story detached and townhomes.
- Ms. Holloman displayed the circulation map depicting both circulation and delineated public and private roads.
- Neighbor: Will there be any section 8 housing in this neighborhood? – Bryan Kane responded: No sir.
- How would you compare these prices to areas of Raleigh? – Bill Mumford responded: High end rental housing for young professionals.
 - Likely \$2 per sq foot.
- How many units? -Mr. Birch responded around 650-700 units.
- What's the height? -Mr. Kane: apartments: 3-5 stories, townhomes: 2 stories, and cottage homes: 1 story.

- Are we looking at \$500,000 equivalent homes? -Bill Mumford responded that is possible.
- Neighbor expressed concerns of both water contaminating wells, and not being able to vote for the representatives who will ultimately be voting on the rezoning.
- Neighbors expressed concern that water contamination is a major concern due to being on well water.
- Neighbor expressed concern over streams being contaminated and that effecting water quality in wells.
- Neighbor expressed concern over water quality especially considering Harris Crossing construction has caused Harris Lake to contain sediment when it did not before.
- Neighbor stated Arvin Oil Company has contaminated water and Wake County is checking every 6 months for contamination on the western side of 401.
- Neighbor asked about storm water control and expressed concern over current flooding. Laura Holloman explained the stormwater measures that are required by the town that would adequately address flooding issues.
- Neighbor asked: Has the property been sold and are they going to remove underground tanks existing on the property? Bryan Kane responded: Yes, we will work with the state and are required to perform an environmental analysis to ensure we clean it out correctly. Neighbor expressed frustration that the analysis was not included with the neighborhood meeting information.
- Neighbor asked about the buffer requirements. Laura explained the buffer requirement of 25 feet, and the proposed buffer of 30 feet and overviewed the tree canopy requirement.
- Neighbor question: Can open space include parking lots? Bryan Kane: No
- Neighbor expressed that renters are not desired, and they bought in this neighborhood because they wanted to be able to own their own homes and live in a neighborhood where others have also bought their own homes.
- Neighbor expressed concerns over the sheer volume of people trying to come and go and how that will affect traffic. They Expressed concern over residents cutting through behind the commercial parcel from Woodcrest Dr to access their neighborhood.
- A resident asked if the street connection on St Patrick is required. Bill Mumford stated that is up to NCDOT, however, if possible, we will connect straight out to 401 and not connect to St Patrick.
- Neighbor asked about the difference between the private and public streets regarding connections. Laura Holloman explained the only connection points are on 401 and St Patrick Drive.
- Neighbor asked about running St Patrick connection out to 401 instead. Bryan Kane stated that he certainly would like to, but DOT ultimately will decide if he can do that.
- Neighbor asked if any existing trees would remain. Bryan Kane and Bill Mumford stated some will remain and some will be new plantings.
- Neighbor asked: Current zoning is RW-40 meaning it is in a watershed, how does that work? Ms. Holloman explains the difference between a critical watershed and a watershed.
- Neighbor asked: Will it be underground electric lines? -Bill Mumford responded yes. Neighbor requested developer run their power lines underground as well.

- Neighbor asked in 10 years will you sell the lots? -Bryan Kane responded he may resell in 10 years, but he has not planned to do it that way. Bill Mumford added that this will be leased by a professional management company that will be responsible for maintenance.
- Neighbor concerned that this development would ruin the small private feel that is great about this neighborhood.
- Neighbor asked: What specific commercial businesses are you thinking about? Bryan Kane: Food or service-based businesses.
- Neighbor asked: How are you going to get a pump station? Laura Holloman: We are still working on the logistics of sewer and working with the City of Raleigh Water to figure out a solution to make this sewer work. Bryan Kane responded: We are not sure and are working through this with City of Raleigh now.
- Neighbor concerned about traffic into Wake Christian Academy that is clogging the road already.
- A neighbor expressed the apartments are the problem with the proposed project.
- Neighbor expressed the danger of turning out of St Patrick Drive, and he would like access to connect to his property if possible. Mr. Kane responded he will coordinate with him on access.
- Neighbor asked: What kind of business are going to be in the commercial area? Will it be something that the community can benefit from? Bryan Kane: That is what we would like.
- Resident: How will you be grading the commercial area? Currently there is a tree line with the hill. How will you be tackling that? Bryan Kane: We can certainly try to preserve that existing tree line. Bill Mumford added NCDOT may have a say in that.
- Have you heard anything about improvements from DOT? Bryan Kane expressed that he has not heard yet.
- Neighbor expressed concerns over two stoplights close together.
- Bill Mumford responded that this will all be accounted for through the TIA process.
- Michael Birch explained how long the process takes to be able to begin to break ground and that this project is in the very early stages. Therefore, you are seeing a very preliminary version of the project.
- Neighbor stated: Five stories are downtown Raleigh, why are you going to 5?
- Neighbor expressed concern over not having representation.
- Neighbor asked: How will this effect these neighboring properties values? Michael Birch: the value of property is judged against the sales of single family homes in the area.
- A neighbor asked who is the principal buyer? Bryan Kane stated he is.
- Neighbor expressed concern over access coming from Woodcrest Dr into the commercial component and that bringing a lot of activity into the entrance onto Woodcrest.
- Neighbor expressed desire to build a few nicer homes for sale fronting Woodcrest to be incorporated into the Woodcrest neighborhood.
- Neighbor asked: Will the lots remain, or will it be one large lot? Bill Mumford: It will be one large lot.
- Have you thought about Old Stage Rd for a crossing? -No.
- Is there a way to cut off access from behind commercial parcel accessing Woodcrest? -Bryan Kane and Bill Mumford said we can certainly look into that.
- Could you leave the corner lot on the commercial development alone? Bryan Kane: We could look into something on that parcel to buffer.

- Neighbor asked to see mockups to better visualize the design.
- Neighbor asked what other examples of something like this do you have we can look for? Bill Mumford responded we have some in Phoenix, and some in Charlotte, but this is still a new product.
- Neighbor expressed concern on the impact to 401 from the Buffalo Rd property.
- Neighbor expressed that the commercial area should be something that benefits the community like a coffee shop or restaurant.
- Neighbor expressed concern over apartments being able to look into his backyard. Michael Birch explained the buffer and how the distance between lot line and placement should circumvent that concern.
- Neighbor asked if new construction will look similar to existing homes surrounding area?
- Neighbor expressed concern over the possibility of endangered mussels in the creek.
- How long will construction last? -Mr. Kane responded: Approximately 30 months.
- Neighbor asked: Why are they all rental properties?
- Resident expressed concern over cookie cutter developments. -Bryan Kane stated they are putting designs together now that the planning department has requested.
- Resident requested a copy of the sign in sheet so they can see who all attended.
- Resident asked about an approximation of when this may go before the Planning Board. - Michael Birch stated that this will be in front of the Planning Board probably in 3-4 months.

Meeting End time: 8 pm

March 1, 2023

RE: Neighborhood Meeting – 401 Crossing

Dear Property Owner,

On behalf of the owners of 0 Woodcrest Dr (PIN 0791902864), 5828 Woodcrest Dr (PIN 0790889826), 0 Pinedale Dr (0790884847), 0 St Patrick Dr (PIN 0790885319), 0 Fayetteville Rd (PIN 0790785341), 1912 St Patrick Dr (PIN 0790780066), 1910 St Patrick Dr (PIN 0790781096), 1904 St Patrick Dr (PIN 0790783046), 1808 St Patrick Dr (PIN 0790788067), 1714 St Patrick Dr (PIN 0790881017) 1708 St Patrick Dr (PIN 0790882057), 1700 St Patrick Dr (PIN 0790883098), 1612 St Patrick Dr (PIN 0790885048), 1610 St Patrick Dr (PIN 0790886087), 1604 St Patrick Dr (PIN 0790888028), 1600 St Patrick Dr (PIN 0790889068), 1518 St Patrick Dr (PIN 0790981008), 1514 St Patrick Dr (PIN 0790981161), 0 Woodcrest Dr (PIN 0790992175), 0 Woodcrest Dr (PIN 0790992265), 0 Woodcrest Dr (PIN 0790992386), 0 Woodcrest Dr (PIN 0790992476), and 5715 Fayetteville Rd (PIN 0790897596), I would like to invite you to attend a neighborhood information meeting concerning the development of said property. Specifically, SLI Capital and GTIS Partners has requested a rezoning of said property from R-40 Single Family (40,000 s.f. lots) to Planned Unit Development (PUD) to allow for the development of both commercial businesses and residential. The meeting details are as follows:

March 14, 2023
6:00-7:00PM
Avery Street Recreation Center Multipurpose Room
125 Avery Street
Garner, NC 27529

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 intention 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. 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.

If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at 919-610-7377 or holloman@mcadamsco.com. We look forward to seeing you at the meeting.

Sincerely,
MCADAMS



Laura Holloman, AICP
Team Leader, Planning + Design

401 Crossing Planned Unit Development Rezoning

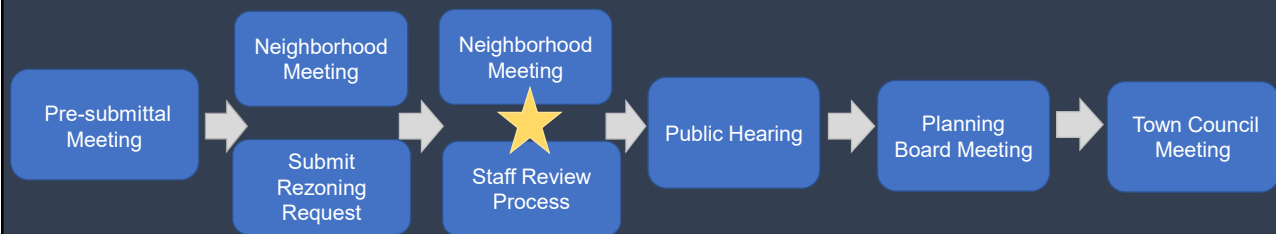
March 14, 2023

Neighborhood Meeting



1

Rezoning: The Process



*Preliminary Development Plan & Construction Drawings must also be approved before construction can begin



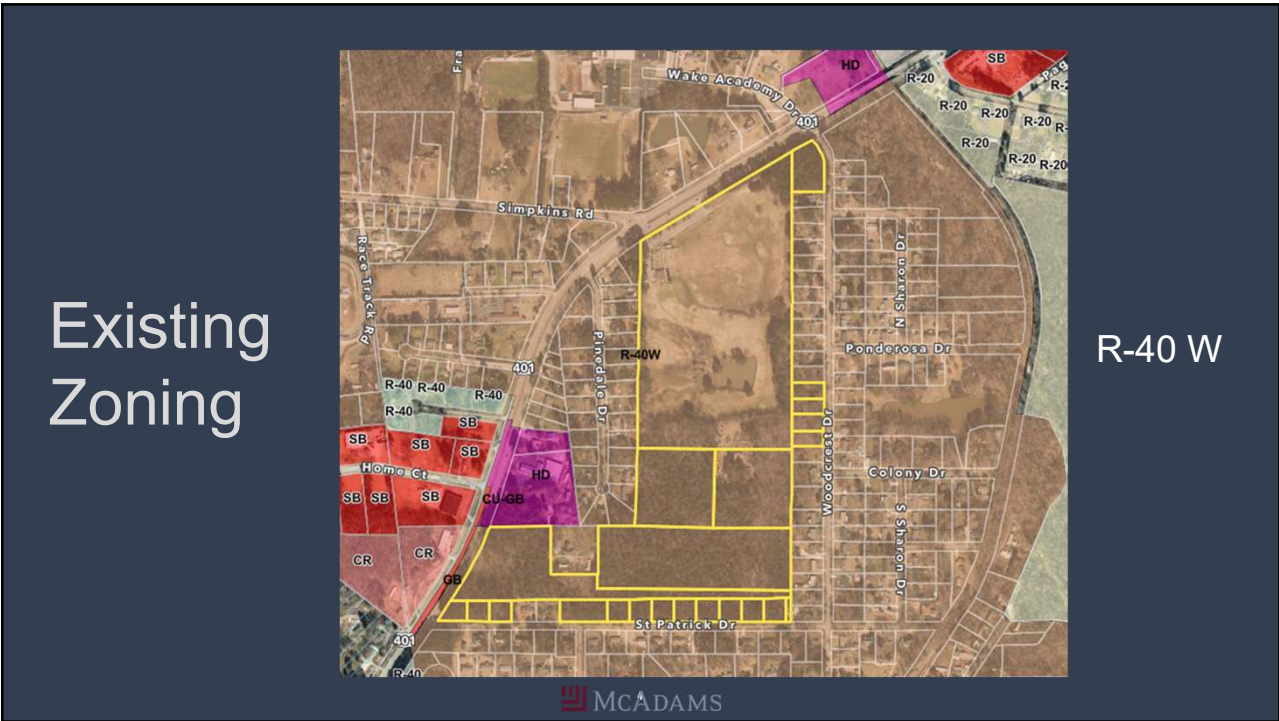
2



Project Site

MCADAMS

3








Existing Zoning

R-40 W

MCADAMS

4

Garner Future Land Use Map

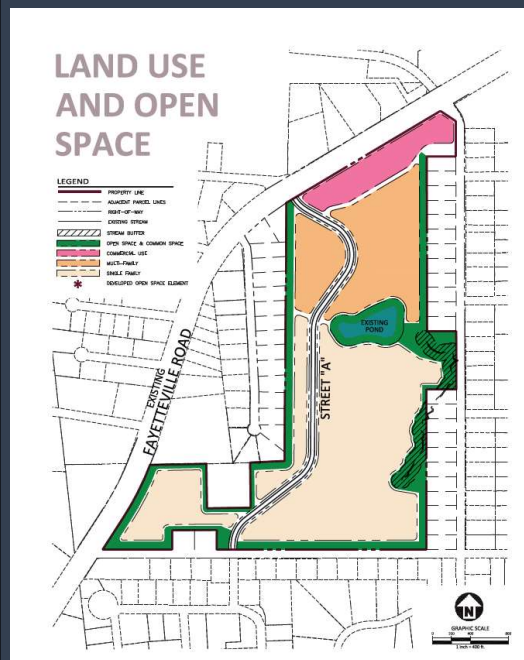
- Focus Areas of Change**
-  Commercial
 -  Employment
 -  Mixed-Use
 -  Proposed I-540
 -  Extraterritorial Jurisdiction



MCADAMS

5

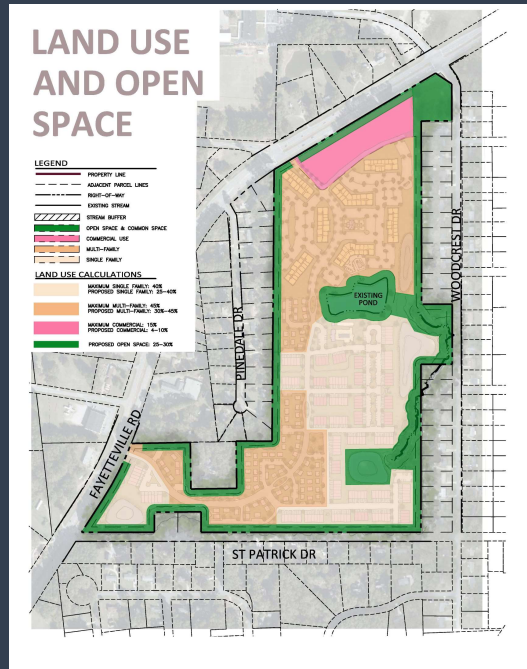
Initial Proposed PUD Elements



MCADAMS

6

Current Proposed PUD Elements



Concept Plan



7

Proposed Elevations- Cottages



MCADAMS

8

Proposed Elevations- Townhomes



MCADAMS

9

IMPROVED OPEN SPACE

LEGEND

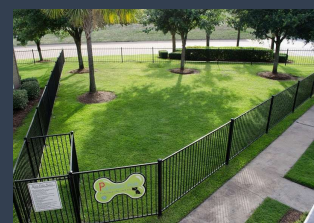
- PROPERTY LINE
- ALIGNED FENCE LINE
- RIGHT OF WAY
- PROPOSED RIGHT-OF-WAY
- EXISTING DRIVE
- PROPOSED DRIVE
- PROPOSED OPEN SPACE (PERMANENTLY MAINTAINED)
- PROPOSED OPEN SPACE (PERMANENTLY MAINTAINED - FUTURE PHASE)
- BIOROCK
- PROPOSED WALK CORE OR SOFT SURFACE



OPEN SPACE + AMENITIES 33

MCADAMS

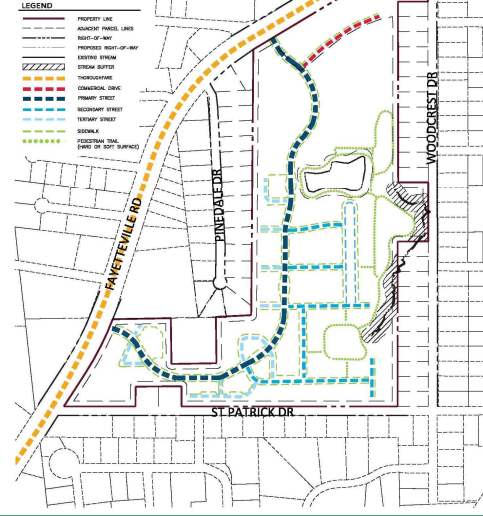
Proposed Open Space



10

Proposed Circulation

VEHICULAR AND PEDESTRIAN CIRCULATION



MASTER DEVELOPMENT PLAN 15

11

THANK YOU!

QUESTIONS?



12

Neighborhood Meeting Sign-In Sheet

Name	Address	Email
* Sharon Smith no letter	1913 St. Patrick Dr. Raleigh, NC 27603	sbsmith7@gmail.com
Kewin Adams	5703 N. Sharon Dr. Raleigh NC 27603	ADAMSK@ATIUSA.COM
Jane + Michael Steffens	1409 Saint Patrick Dr Raleigh, NC 27603	jane.austin123@hotmail.com
* MARK WILSON	5708 Woodcrest Dr Raleigh NC 27603	mawilson06@yahoo.com
LYNSIE BARNES	5712 WOODCREST DR RALEIGH, NC 27603	WILLIAMS.LYNSIE@GMAIL.COM
* Heidi Rumble got letter	5702 Woodcrest Dr. Raleigh NC 27603	heide.rumble@gmail.com
Anna Collins	6113 Vicky Drive Raleigh, NC 27603	Chunterc@nc.rr.com
Joe Mili//o (No letter)	1717 Pinedale Drive Raleigh NC 27603	mili//ojoe@gmail.com
Nathan Blanton (no letter)	1709 St. Patrick Dr Raleigh, NC 27603	nathan.blanton@gmail.com

Neighborhood Meeting Sign-In Sheet

Name	Address	Email
Seth Penny	1302 Colony Dr. Rd. 27603	pennyfamily1302@gmail.com
Pam Byars	1324 Colony Dr.	pbyars@nc.rr.com
W.S. Oberholtzer	5607 Woodcrest Dr.	oberholtzer71@gmail.com
Shirley Brewer	1604 Pinedale Dr.	
Margaret Eutsler	1704 Pinedale Dr.	
Peter & Nancy Hearn	6128 Ricky Dr	PH725@yahoo.com
Michael Sturgill	1712 Pinedale	MCSTURGILL@MENDSPRING.COM
Herbert Garrett	5714 N. SHAEON Dr. Raleigh, NC 2760	garrett.glen@gmail.com
* MARK Wilson	8316 Crowder Rd Raleigh NC 27603	mawilson06@yahoo.com

401 Crossing Neighborhood Q&A

Question about the width of the buffer: Developer responded that it will be 25'.

Question asked about the proposed height of commercial uses: Developer responded that it should not be more than one story

Question about DOT road approvals and what would happen if DOT does not approve the transportation proposals. The developer stated that what is proposed is what DOT has suggested and directed the project towards.

Question about the size of the townhomes: The developer responded that they will be 2- story and no more than 1900sf.

There was a lot of concern across the attendees about whether or not TIA had be submitted. The developer team provided a copy of the TIA to attendees who asked to receive one and provided an email address on the sign in sheet.

Question about how the cottage unit will be parked? The developer responded that they will use surface parking and the townhomes will have garages.

Question about how drainage will be handled: The developer highlighted the SCMs proposed on the concept.

Question about where water and sewer will come from: The developer responded that they will be using existing water from 401 and meeting with CORPUD to determine the sewer capacity and the least impactful location.

There was significant debate about the amount of impervious surface proposed and how the Swift Creek rules are administered.

The developer noted that access on St. Patrick that shown on a previous plan had been removed and that there would be trees along buffer areas.

Question about how many units would be built: The developer responded that around 700 units were planned.

Concerns were raised about the traffic impacts from that amount of development, which the developer acknowledged and then referred to the TIA.

Concern was raised about a septic field on the other side of the property line. The developer noted this concern and stated that they would look into it and make note of it.

Question was raised about the type of commercial uses expected for the commercial area: The developer responded that they were planning for retail and dining primarily.

Question about the timeline moving forward: The developer responded that the rezoning process was not finalized, after that there would be a site plan process and that it would likely be at least 12 months after zoning approval before dirt would be moved on the project.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: May 2, 2023 <input type="button" value="v"/>		
Subject: Transparency Act Compliance		
Location on Agenda: Reports <input type="button" value="v"/>		
Department: Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: State law prohibits Town Councilmembers from voting on certain contracts and appropriations which may be authorized in the annual budget. In order to ensure compliance, Councilmembers must disclose to the Town Clerk and/or Town Attorney any nonprofit or other organization for which the Town Councilmember is currently an officer or director, or anticipated to be an officer or director during the 2023-2024 Fiscal Year.		
Recommended Motion and/or Requested Action: Provide requested information prior to voting on the Annual Operating Budget		
Detailed Notes: The North Carolina "Self-Dealing Statute" NCGS 14-234 prohibits Town Councilmembers from voting on Town contracts where the Councilmember will receive a direct financial benefit. The Transparency Act NCGS 14-234.3 prohibits Town Councilmembers from voting on contracts including any award of money in the form of a grant, loan, or other appropriations to a nonprofit with which the public official is associated. Only nonprofits which were created by the State or the Town are exempted from the Transparency Act.		
Funding Source: N/A		
Cost: n/a	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:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		