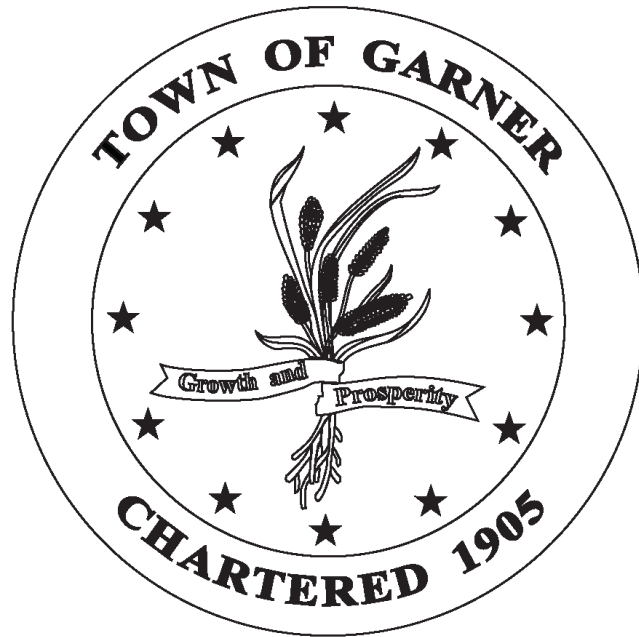


# Town of Garner



Town Council Meeting  
September 19, 2023

Garner Town Hall  
900 7<sup>th</sup> Avenue  
Garner, NC 27529

**Town of Garner  
Town Council Regular Meeting Agenda  
September 19, 2023**

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

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn
- B. PLEDGE OF ALLEGIANCE: Council Member Demian Dellinger
- C. INVOCATION: Council Member Demian Dellinger
- D. PETITIONS AND COMMENTS

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

- E. ADOPTION OF AGENDA
- F. PRESENTATIONS
- G. CONSENT

- 1. Budget Amendment – PO Rollovers .....Page 6  
Presenter: David Beck, Finance Director

Amendment to carry forward purchase orders from the prior fiscal year along with unspent budgeted amounts for VERT, PFRM, and street resurfacing programs which can span across fiscal years. The overall amount being carried forward is \$2,765,997. The total amount of the amendment is \$3,505,211 due to the accounting treatment of transferring \$739,214 from the general fund to the new multi-year fund that accounts for VERT and PFRM.

Action: Consider approving Ordinance (2023) 5126

- 2. PRCR Comp Plan Chapter 10 Update ..... Page 9  
Presenter: Jeff Triezenberg, Planning Director

Amendment to Chapter 10 (Action + Implementation Plan) of the 2020 Parks, Recreation & Cultural Resources Comprehensive Master Plan to update prioritization and timeline of strategies and action items.

Action: Consider approving amendment to Chapter 10 of the 2020 PRCR Comprehensive Master Plan

- 3. NCRPA New Initiative Grant ..... Page 31  
Presenter: Megan Young, Operations Superintendent

The department has been awarded a \$1,000 New Initiative Grant by the North Carolina Recreation and Park Association (NCRPA).

Action: Consider approval of grant acceptance and budget amendment (2023) 5125

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

Minutes from the August 8, August 22, August 29 and September 5, 2023 Council meetings.

Action: Consider approving minutes

- 5. Amendment #2 - ADW Architects - Town Hall Annex ..... Page 49  
Presenter: Leah Harrison, Town Engineer

Additional services for Town Hall Annex including utility design and environmental permitting. Funding is available in the TH Annex capital budget for the amount of the amendment.

Action: Consider approving and authorize Town Manager to execute Amendment #2 with ADW Architects

- 6. Town Lobbyist Contract ..... Page 52  
Presenter: Rodney Dickerson, Town Manager

Renewal of contract for Sam Bridges to serve as Town Lobbyist. Mr. Bridges will continue to provide updates on his activities and advise Town Council and staff on any pending actions that will put the Town in a better position as it relates to policy, funding, and advocacy.

Action: Consider approving contract

H. PUBLIC HEARINGS

I. NEW/OLD BUSINESS

- 1. Walters Buffaloe/Cambria Development Agreement Update ..... Page 55  
Presenter: Rob Rudloff, Pulte Home Company LLC

Update on the Cambria development project (formerly Walters Buffaloe) and associated off-site road improvements.

Action: Receive update and provide feedback on proposed timeline

2. Planned District Conditional Rezoning # CZ-PD-21-02, Mahler's Creek PRD ..... Page 56  
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director

Planned district conditional rezoning request (CZ-PD-21-02) submitted by Burton Engineering to rezone approximately 8.68 +/- acres from Single-Family Residential (R-12) - now Residential 4 (R4) - and 63.87 +/- acres from Single-Family Residential (R-40) - now Rural Agricultural (RA) - to Planned Residential Development (PRD C12) Conditional - to be Residential 4 (R4 C212) - for the development of a residential community of approximately 170 single-family homes on three sizes of lots. The site is located along northwest of Bryan Road between the Everwood and Fox Haven subdivisions and may be further identified as Wake County PIN(s) 1720012472, 1720027137, and 1720019776.

Action: Consider adopting Ordinance (2023) 5127

3. Draft Garner Forward Comprehensive Plan - Mapping Edits ..... Page 108  
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director

Continuation of the review of mapping edits proposed by project staff and endorsed/refined by the Planning Commission for the draft Garner Forward Comprehensive Plan. Factors considered: geographic distribution (service deserts), availability of land along existing or near-term transportation corridors, previous Council development decisions, and past plans.

Action: Consider a motion on which mapping edits to keep for inclusion in final document editing

4. Town Hall Annex Project and Budget Update ..... Page 121  
Presenters: Lisa Rodriguez, Project Manager, Sara Warren, Budget Manager, and David Beck, Finance Director

Update on the design and budget of the Town Hall Annex renovation project.

Action: Provide staff direction on the approach for the completion of Town Hall Annex project

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- Talk of the Town
- The Town is holding an open-house-style public meeting on Thursday, Sept. 21, from 4-6:30 p.m. in the training room on the second floor of Town Hall about upcoming sidewalk improvements along Garner Road and Aversboro Road. The meeting will provide residents an opportunity to review design plans and offer input prior to final design and construction.
- The Downtown Garner Association's first-ever Market on Main event will be held Friday, Sept. 22, from 6-10 p.m. There will be a variety of vendors, food trucks and entertainment for people to enjoy along Main Street in historic Downtown Garner.

- The fall Big Sweep and Litter Sweep in Garner will be Saturday, Sept. 23, from 9-10:30 a.m. Volunteers should wear closed-toed shoes and bring drinking water and sun protection. Clean-up equipment will be provided. Participants should report to the Holly Shelter at White Deer Park to receive equipment. Pre-registration is strongly encouraged at [garner.recdesk.com](http://garner.recdesk.com). On-site registration at the Holly Shelter begins at 8:45 a.m.
- The Trick-or-Eat Food Truck Rodeo, another event sponsored by the Downtown Garner Association, will be held along Main Street on Friday, Sept. 29, from 6-10 p.m. The event will feature more than a dozen food trucks as well as local artisan vendors. Visit [downtowngarner.com](http://downtowngarner.com) or the Downtown Garner Facebook page for more information and updates.

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

Pursuant to NC General Statutes Section 143-318.11(a)(5) to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate.

O. ADJOURN

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023 <span style="float: right;">▼</span>		
Subject: Budget Amendment - PO Rollovers		
Location on Agenda: Consent <span style="float: right;">▼</span>		
Department: Finance		
Contact: David Beck, Finance Director		
Presenter: David Beck, Finance Director		
<b>Brief Summary:</b>  Amendment to carry forward purchase orders from the prior fiscal year along with unspent budgeted amounts for VERT, PFRM, and street resurfacing programs which can span across fiscal years. The overall amount being carried forward is \$2,765,997. The total amount of the amendment is \$3,505,211 due to the accounting treatment of transferring \$739,214 from the general fund to the new multi-year fund that accounts for VERT and PFRM.		
<b>Recommended Motion and/or Requested Action:</b> Consider approving Ordinance (2023) 5126		
<b>Detailed Notes:</b> This amendment brings forward purchase orders that were still open on 6/30/2023. These are goods or services contracts for prior to 6/30 but not received or delivered before the end of the fiscal year. This is standard procedure to recognize these encumbrances as part of the new FY 23-24 budget. The unexpended budget for these items became part of assigned fund balance on 6/30/2023 and now funding will be pulled back out of fund balance to the appropriate expense accounts. Unspent VERT, PFRM, and resurfacing funds are also being carried forward to the new year to continue these programs as the work or equipment ordered typically crosses fiscal years.		
<b>Funding Source:</b> Fund Balance		
Cost: \$3,505,211	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DB	
Finance Director:	DB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2023) 5126

ORDINANCE AMENDING ORDINANCE NO. (2023) 5109 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 3,260,288	\$ 2,026,783	\$ 5,287,071
10309000-496900	Appropriated Fund Balance		\$ 5,287,071	\$ 739,214	\$ 6,026,285
20600000-471000-10605	Transfer from General Fund		\$ 1,485,000	\$ 505,410	\$ 1,990,410
20600000-471000-10606	Transfer from General Fund		\$ 1,383,094	\$ 233,804	\$ 1,616,898

TOTAL REVENUE INCREASE (DECREASE) \$ 3,505,211.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10562500-523200	Agricultural Supplies		45,700	3,245	48,945
10423000-524300	Contract Services		13,200	10,100	23,300
10481000-524300	Contract Services		8,000	1,947	9,947
10491000-524300	Contract Services		341,962	20,000	361,962
10511000-524300	Contract Services		902,683	303,530	1,206,213
10531000-524300	Contract Services		288,112	27,745	315,857
10561000-524300	Contract Services		615,982	17,490	633,472
10562500-524300	Contract Services		166,492	55,700	222,192
10564000-524300	Contract Services		303,997	23,525	327,522
10572000-524300	Contract Services		74,175	4,662	78,837
10572000-524300-60100	Contract Services		-	29,500	29,500
10572000-524300-65160	Contract Services		-	13,628	13,628
10572000-524300-65360	Contract Services		-	1,500	1,500
10573000-524300	Contract Services		4,704	4,100	8,804
10574100-524300-40300	Contract Services		-	325	325
10561500-524380	Contract Services - Powell Bill		626,000	328,504	954,504
10461000-524374	Contract Svc - UDO Update		-	3,044	3,044
10421000-523300	Departmental Supplies		2,500	1,750	4,250
10511000-523300	Departmental Supplies		163,552	3,053	166,605
10571000-523300	Departmental Supplies		5,209	22,532	27,741
10604000-537400	Equipment		-	14,871	14,871

10562500-521600	Equipment Maintenance &		46,475	25,220	71,695
10511000-523399	Equipment Non-Capital		81,867	21,500	103,367
10573000-521200	Printing		22,300	2,500	24,800
10411000-521000	Professional Services		26,200	1,940	28,140
10421000-521000	Professional Services		\$ 1,000	\$ 10,500	\$ 11,500
10481000-523580	Stormwater Education Program		5,800	3,284	9,084
10561000-524386	Street Resurfacing		1,547,208	882,887	2,430,095
10511000-521400	Travel & Training		91,784	3,977	95,761
10571000-521400	Travel & Training		8,000	2,232	10,232
10511000-523600	Uniforms		79,600	9,811	89,411
10561000-523600	Uniforms		1,750	1,591	3,341
10562500-523600	Uniforms		14,700	2,367	17,067
10564000-523600	Uniforms		5,265	1,147	6,412
10565000-523600	Uniforms		4,152	33	4,185
10565000-537410	Vehicle		-	52,573	52,573
10604000-524356-15001	Disaster Expenses		-	114,470	114,470
10590000-552020	Tsf to Cap Reserv Proj Fund 20		3,313,910	739,214	4,053,124
20600000-537451-10605	Capital Outlay - Public Safety		700,000	49,142	749,142
20600000-537456-10605	Capital Outlay - Public Works		750,000	456,268	1,206,268
20600000-537457-10606	Capital Outlay - Parks & Rec		573,094	233,804	806,898

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 3,505,211.00

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 19th day of September 2023.

\_\_\_\_\_  
Ken Marshburn, Mayor

ATTEST:

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



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023		
Subject: Parks, Recreation & Cultural Resources Comp Plan - Chapter 10 Update		
Location on Agenda: Consent		
Department: Parks, Recreation & Cultural Resources (PRCR)		
Contact: Maria Munoz-Blanco, Parks, Recreation & Cultural Resources Director		
Presenter: Maria Munoz-Blanco, Parks, Recreation & Cultural Resources Director		
<p><b>Brief Summary:</b> Amendment to Chapter 10 (Action + Implementation Plan) of the 2020 Parks, Recreation &amp; Cultural Resources Comprehensive Master Plan to update prioritization and timeline of strategies and action items.</p>		
<p><b>Recommended Motion and/or Requested Action:</b> Consider approval of amendment to Chapter 10 of the 2020 PRCR Comprehensive Master Plan.</p>		
<p><b>Detailed Notes:</b> The Town of Garner approved its Parks, Recreation and Cultural Resources Comprehensive Master Plan in January 2020. This amendment adopts an update to the prioritization and timeline of Chapter 10 (Action + Implementation Plan) of the 2020 PRCR Comprehensive Master Plan. This update was presented to Town Council at the August 29, 2023 meeting and is the result of a review process undertaken by the PRCR Advisory Committee and staff. This plan is a working document and will be updated as strategy/action items shift based on availability of resources and funding.</p>		
<p><b>Funding Source:</b> N/A</p>		
Cost: n/a	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<p><b>Manager's Comments and Recommendations:</b></p>		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MMB	
Finance Director:		
Town Attorney:		
Town Manager:		
Town Clerk:		



## Garner Parks, Recreation and Cultural Resources

900 7<sup>th</sup> Avenue • Garner, NC 27529

Phone: 919-773-4442 • Email: [garnerprcr@garnernc.gov](mailto:garnerprcr@garnernc.gov)

September 8, 2023

To: Jodi Miller

From: Maria Munoz-Blanco, Director of Parks, Recreation & Cultural Resources

Re: PRCR Comprehensive Master Plan Update

The Town of Garner Comprehensive Master Plan for Parks, Recreation and Cultural Resources was adopted on 01/21/2020. The plan's Action + Implementation Plan (Chapter 10) features 18 goals, 55 objectives, and 215+ strategies/action items to achieve the stated goals. A proposed update to Chapter 10 with a timeline and prioritization of strategies/action items was developed in FY2023 through a review process undertaken by the PRCR Advisory Committee and staff. The proposed update was presented to Town Council at their 08/29/2023 Work Session.

This agenda item formalizes the adoption of the update as an amendment to the 2020 Parks, Recreation & Cultural Resources Master Plan. Feedback provided by Town Council members at the 08/29/2023 session has been incorporated in the amendment.

### **Staff Recommendation**

That the Town Council approve the amendment to Chapter 10 of the 2020 Parks, Recreation & Cultural Resources Comprehensive Master Plan.

# Town of Garner Parks, Recreation & Cultural Resources Comprehensive Master Plan Chapter 10: Action + Implementation Plan Update

This amendment is an update to the prioritization and timeline of Chapter 10 Action + Implementation Plan of the Town of Garner Parks, Recreation & Cultural Resources Comprehensive Master Plan, originally adopted on January 20, 2023. This amendment is the result of a review undertaken by the Parks, Recreation & Cultural Resources Advisory Committee and staff in fiscal year 2023. The proposed update was presented for discussion to Town Council at their Work Session on August 29, 2023 and presented for adoption on September 19, 2023.

The amended Chapter 10 prioritizes strategy/action items utilizing the color-coded key below. This plan is a working document and will be updated as strategy/action items shift based on availability of resources and funding.

### Priority Key:

- **Ongoing and Short Term:** Strategies/action items that are currently in progress or incorporated to the Department's operations
- **Priority Pending Funding:** Strategies/action items that would be priority when funding becomes available
- **Aspirational Long Term:** Strategies/action items that represent a larger investment so are aspirational and long-term
- **Duplicate or Repetitive:** Strategies/action items that could be deleted as they are duplicate or very similar to another strategy
- **Completed:** Strategies/action items that have been executed

PA = Parkland PR = Programming ACR = Arts & Culture O = Operations F = Finances



**PARKLAND GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
<b>Parkland Goal 1: Build high quality parks for the growing Garner Community</b>							
	1.1. Develop between 83.2 acres and 184.3 acres of parkland to maintain a level of service of 10.5 acres of parkland per resident during the next 10 years	1.1.1. Develop the Yeargan Property for public recreation use.	●		●		
		1.1.2. Develop Meadowbrook Park for public recreation use.	●		●		
		1.1.3. Acquire land to anticipate future park expansion in accordance with parkland acquisition map.			●	●	
		1.1.4. Use site suitability analysis to inform site selection for park land acquisition.			●		
	1.2. Upgrade existing parks to reflect best practices in park design for: Diversity of park amenities Green infrastructure Maintenance ADA + Inclusivity Shade + comfort Placemaking Connectivity CPTED + Safety	1.2.1. Complete detailed list of upgrades for individual parks, estimate cost, and request funding as part of operational budget or CIP.	●	●			
		1.2.2. Improve overall visual appearance of parks and facilities and improve longevity of equipment and materials.	●	●	●		
		1.2.3. Coordinate with the Public Works Department to ensure detailed maintenance plans and deferred maintenance lists are routinely updated and implemented and the expectations of the Department are met.	●			● PA-3.3.3	
		1.2.4. Ensure that ADA Transition Plan is up to date and being implemented by Public Works Department.			●	● PA-3.4	
	1.3. Implement best practices in park design for future park development using: Diversity of park amenities Green infrastructure Maintenance ADA + Inclusivity Shade + comfort Placemaking Connectivity CPTED + Safety	1.3.1. Include requirement for experience with listed best practices in released RFQ for design services.	●				
		1.3.2. Confirm best practices are met throughout the planning, design, and construction phases.	●				
	1.4. Evaluate Unified Development Ordinance and revise as necessary to increase private investment into parks and trails.	1.4.1. Assess ordinances of similar jurisdictions to determine best practice for Garner's context.		●	●		
		1.4.2. If revisions are needed, pursue ordinance revision as partnership between Town and developers.			●	●	

**PARKLAND GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		1.4.3. Pursue a text change amendment for approval by Town Council.		●	●		
		1.4.4. Ensure policies are in place to account for parkland and trail provision in newly developed areas.		●	●		
	1.5. Use results of community engagement and statistically valid survey when identifying amenities for existing park upgrades and future park programming.	1.5.1. Identify opportunities to create the following amenities identified as high priority through the statistically valid survey: - Natural trails - Greenway trail system - Paved greenway trails - Splashpad - Outdoor amphitheatre and event space - Boathouse and water access - Outdoor basketball courts - Ropes and adventure course - Outdoor classroom - Improved Senior Center - Paved walking trails and benches - Reservable shelter space - Larger theater - Black box theater - Indoor active recreation space - Athletic fields - Artificial turf fields - Universally designed playground, parks, and facilities - Outdoor fitness equipment	●	●	●		
<b>Parkland Goal 2: Create a community trail network that connects people to the places they want to go locally and within the regional trail network.</b>							
	2.1. Maintain a level of service of 1 mile of trail per 10,000 residents during the 10-year planning horizon.	2.1.1. Construct between 33 miles and 42.7 miles of greenway trail.	●		●		
		2.1.2. Hire a park planner to identify sources of funding, manage corridor acquisitions, and manage projects.		●			
		2.1.3. Develop feasibility studies for the following priority trail networks: - Timber Drive Corridor - Education and Recreation Corridor - Vandora Corridor - Garner Road Corridor - US 70 Corridor		●	●		
		2.1.4. Construct trail segments as funding and resources allow.			●		
		2.1.5. In addition to the list on 2.1.3 above, identify trail segments for master planning, corridor studies, feasibility study, or project design phases as appropriate.			●		
		2.1.6. Complete feasibility study for a fourth corridor alignment for the South Garner Greenway given recent land transactions.					●

**PARKLAND GOAL**

<b>Goal</b>	<b>Objective</b>	<b>Strategy/Action Item</b>	<b>Ongoing &amp; Short Term</b>	<b>Priority Pending Funding</b>	<b>Aspirational Long-Term</b>	<b>Duplicate or Repetitive</b>	<b>Completed</b>
	2.2. Update Unified Development Ordinance to explicitly include greenway acquisition in language for "open space" acquisition.	2.2.1. Include provision for exactions in the Unified Development Ordinance that require developers to construct greenway sections identified on the greenway master plan or provide easements for future greenway development.			●		
		2.2.2. Create fee-in-lieu provision that allows the option of paying a fee to the Town instead of constructing a trail or dedicating an easement.			●		
		2.2.3. Adopt trail design standards to create enforceable expectations of design, materials, and quality of developer-designed greenway trails.					●
<b>Parkland Goal 3: Maintain existing indoor facility space and remain responsive to changing demographic and recreational trends</b>							
	3.1. Construct additional indoor recreation facility space between 34,600 sq. ft. and 76,800 sq. ft. to maintain a level of service of 4.38 sq. ft. of indoor space per 1 resident.	3.1.1. Construct additional active indoor recreational facility space between 21,900 sq. ft. and 48,600 sq. ft., at minimum, to maintain a level of service of 2.77 sq. ft. of active indoor recreation space per 1 resident.			●		
		3.1.2. Determine facility type based on programming needs and existing space limitations.			●		
		3.1.3. Determine if new construction, retrofitting, or expansion is needed and determine that space is adequate to meet demand.			●		
		3.1.4. Develop a site and building plan. Create construction drawings and permit the construction, if needed.			●		
		3.1.5. Construct, retrofit, or expand the facility.			●		
	3.2. Provide or expand facility space for the following community needs based on community engagement: - age targeted programs, especially for teens and seniors - refurbished senior center - rehearsal, activity, display and performance space for performing arts, visual arts, and music. - fitness and wellness programming space	3.2.1. Determine spatial requirements for new teen and senior programs.			●		
		3.2.2. Based on capacity study identify location to administer new programs.			●		
		3.2.3. Refer to Programming Goal 1 for recommendations for senior center improvements.				● PR-1.3.2	
		3.2.4. Conduct Gap Analysis to identify need and location for land acquisition, lease, or joint use opportunities to provide program space needs identified here.			●		

**PARKLAND GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
3.3. Reference maintenance plans implemented by Public Works Department to improve overall visual appearance of buildings and facilities.		3.3.1. Update maintenance plans every 3 years to account for changes in building use and maintenance needs.	●				
		3.3.2. Create maintenance plans for new buildings and facilities as created.	●				
		3.3.3. Meet with Public Works regularly (twice annually or quarterly) to review maintenance plan implementation.	●			● PA-1.2.3	
3.4. Ensure ADA Transition Plan is up to date and being implemented by Public Works Department.		3.4.1. Implement needed improvements identified in the ADA Transition Plan.		●	●		
		3.4.2. Meet with Public Works regularly (twice annually or quarterly) to review ADA Transition Plan for implementation.	●				
		3.4.3. Implement best practices in accessibility and universal design at future facilities beyond ADA compliance.		●	●		
<b>Parkland Goal 4: Leverage parks and greenway trails as a platform to meet larger community goals.</b>							
4.1. Create parks people can use to achieve personal health and wellness goals.		4.1.1. Pursue park improvements to improve health equity by prioritizing: -Geographic distribution of parks -Financial investment in parks -Physical access to parks			●		
		4.1.2. Participate in Wake County's health and wellness collaborative.				●	
		4.1.3. Use health and wellness metrics to inform planning, design, and construction of parks.			●		
4.2. Ensure residents have equitable access to high quality parks.		4.2.1. Track park investments to ensure geographically equitable distribution of public investment.	●				
		4.2.2. Ensure parks are accessible along public transportation routes.			●		
		4.2.3. Promote park connectivity using strategic greenway connections.		●			
4.3. Determine, track, and communicate the park system's economic impact and significance to the Town.		4.3.1. Use this plan's financial analysis as a foundation for a broader economic impact and economic significance study.			●		
		4.3.2. Include economic impact results as part of regular reporting to Town Council.			●		
		4.3.3. Effectively communicate the indirect impacts of the parks system, such as an increase in property values and a reduction in vehicle miles traveled.			●		
4.4. Pursue best practices for environmental sustainability for park design, construction and operation.		4.4.1. Include green infrastructure elements at parks and facilities.				● PA1.2, 1.3, 3.4	
		4.4.2. Incorporate bioswales, rain gardens, green roofs into park stormwater plans when possible.				● PA1.2, 1.3, 3.4	

**PARKLAND GOAL**

<b>Goal</b>	<b>Objective</b>	<b>Strategy/Action Item</b>	<b>Ongoing &amp; Short Term</b>	<b>Priority Pending Funding</b>	<b>Aspirational Long-Term</b>	<b>Duplicate or Repetitive</b>	<b>Completed</b>
		4.4.3. Identify areas in park maintenance plans that can be left unmown or natural to provide wildlife habitat and reduce chemical application.				● PA1.2, 1.3, 3.4	
	4.5. Implement universal design standards to guarantee access and use of parks and amenities regardless of a user's age or disability status.	4.5.1. Include the 7 Principles of Universal Design into future park, trail, and facility design projects.	●				
		4.5.2. Incorporate ADA accessibility upfits into park, trail and facility construction and renovation.				● PA1.2, 1.3, 3.4	
	4.6. Maintain high quality athletic facilities for Department-led and partner-led athletic programming.	4.6.1. Continue providing indoor and outdoor facilities for Town-led and partner-led athletics programming.	●				
		4.6.2. Consider enhancing the playability and capacity of athletic facilities through conversion to or construction of synthetic turf fields with athletic lighting.		●			
		4.6.3. Continue to track participation rates and recreation trends to determine the need for additional athletic fields and facilities.	●				



**PROGRAMMING GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
<b>Programming Goal 1. Build capacity to continue existing services and implement the recommendations of the Comprehensive Plan</b>							
	1.1. Strategically seek out potential partners or contracted facilitators to build capacity in service delivery as new programming needs and interests are developed.	1.1.1. Develop public-private partnerships to assist in providing services using best practices as a basis.	●	●			
		1.1.2. Develop interlocal agreements with public service providers that have special training or certifications to provide programs using best practices.		●			
		1.1.3. Develop non-profit-public partnership agreements with similar service providers that have special training or certifications to provide programs using best practices.			●		
		1.1.4. Use partnership best practices when renewing existing partnership agreements.			●		
		1.1.5. Develop a volunteer program and track opportunities, volunteers, hours, expertise, and recognizing volunteers.	●				
1.2. Develop new recreation positions to meet the needs of the community through cost of service and identified cost recovery to assist in building position salary and capacity.		1.2.1. Build new positions to manage Garner Recreation Center operations, greet visitors to the Garner Recreation Center, develop non-athletic programming, and implement non-athletic programming.	●	●			
		1.2.2. Establish cost of service to identify indirect costs associated with programming.		●			
		1.2.3. Set cost recovery goals for programs and services that include indirect cost recovery as a portion of the fees and charges.	●				
		1.2.4. Train staff to manage facility and programming to Garner's standards and expected outcomes.	●				
1.3. Enhance the Senior Center facility, technology and audio-visual capabilities to better provide for security and programming that meet the need of the community.		1.3.1. Conduct a survey to better define trips, life skills classes, fitness and wellness programs, and events visitors to the Senior Center would like to have.	●				
		1.3.2. Seek to renovate facility spaces to support enhanced and new programming.		●			
		1.3.3. Identify and design renovated spaces in the Senior Center that will allow for better access and aesthetics in common areas and restrooms.			●		
		1.3.4. Invest in audiovisual technology that supports new programming, security and visitor needs.			●		●
		1.3.5. Plan to continue offering programming at the Garner Recreation Center and other facilities in Town until renovations can be completed.			●		
<b>Programming Goal 2. Develop a programming mix that is balanced in lifecycle stages with new creative programming that serves diverse community interests.</b>							
	2.1. Develop quality new programming that aligns with community needs and interests.	2.1.1. Develop standards for programming that includes logistics, customer service outcomes, and cross promotions.	●				


**PROGRAMMING GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		2.1.2. Document and incorporate program standards into the Recreation Program Plan that enhances the quality and consistency of service delivery.	●				
		2.1.3. Develop new programming in the areas of outdoor music and concerts, fitness and wellness, special events and festivals, and adult sports.		●			
		2.1.4. Conduct interest surveys to further define specific programs within the areas of events, aquatics, art classes, fitness and wellness, and life skills.	●				
		2.1.5. Develop sports special events for youth and adults to draw awareness to all athletics. Adult competitions should have a social aspect to the event.		●			
		2.1.6. Train staff on the programming plan, program development, and outcomes.	●				
2.2. Continue to obtain feedback from the community to be responsive as the community evolves.		2.2.1. Periodically conduct focus groups to gain additional insight on community needs.		●			
		2.2.2. Develop surveys for participants that are specific to each core program area and distribute regularly for feedback.	●				
		2.2.3. Ensure comment cards are available at each facility to obtain feedback from visitors.	●				
		2.2.4. Conduct intercept surveys at facilities to gain insight to visitors' local spending, perceived quality and interests.		●			
		2.2.5. Use the surveys to obtain testimonials of services and consent for use in communication and promotions.		●			
		2.2.6. Conduct surveys of participants in declining programs to identify interests for developing spin-off programs to continue to meet their needs.	●				
2.3. Continue to evaluate programs annually in participation and effectiveness using key performance indicators from the Program Assessment.		2.3.1. Continue to collect and monitor the Program Lifecycle key performance indicators for all programs existing and new.			●		
		2.3.2. Evaluate programs in each lifecycle stage with the Program Evaluation Matrix.			●		
		2.3.3. Define and continue to monitor Legacy Programs that are currently within the saturated and decline lifecycle stages to determine if and when to retire them.			●		
		2.3.4. Develop new programs in advance of retiring declining programs, using survey results from current participants as a basis for development.		●		●	

**PROGRAMMING GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		2.3.5. Develop lost customer surveys to gain input from participants that may not be returning as quality assurance.		●			
<b>Programming Goal 3. Implement annual collection, analysis and documentation best practices for recreation programs and services.</b>							
	3.1. Implement program management principles using key performance indicators to ensure consistent delivery of programs and services.	3.1.1. Track cost recovery to identify achieved outcomes and update the target annually, adjusting to influencing factors that have been encountered from operations.	●				
		3.1.2. Annually update similar provider list to limit duplication of services and identify markets where the Town can thrive.	●				
		3.1.3. Continue to monitor demographics of the Town as it grows to ensure that needs of the community are being met.	●				
		3.1.4. Develop pricing strategies for core program areas, update annually with any new strategies created, and incorporate into the Recreation Program Plan.	●				
		3.1.5. Track, analyze and update the age segments analysis and those served annually.	●	●			
		3.1.6. Classify all new programs/events developed to incorporate into the annual tracking, analyzing and updating of the program classifications distribution chart.		●			
		3.1.7. Update existing plans, policies and procedures to reflect recommendations from the Comprehensive Plan and direct staff on management approaches to achieve outcomes.	●	●			
		3.1.8. Incorporate Town outcomes from existing approved plans into the plans of the Department and cite sources.		●			
	3.2. Develop miniature business plans for each core program area that will empower staff to manage the services to defined outcomes from all aspects of operations.	3.2.1. Incorporate Town outcomes and Department outcomes into each business plan to serve as direction for staff.				●	
		3.2.2. Define Core Program Area outcomes in the business plan as direction for staff.				●	
		3.2.3. Identify the target market and marketing methods to reach key demographics within miniature business plans.				●	
		3.2.4. Identify the recreation trends that apply to demographics of each Core Program Area.				●	
		3.2.5. Identify the age segments served in the business plan.				●	
		3.2.6. Conduct a SWOT analysis for each core program area within the business plan.				●	
		3.2.7. Identify the cost of service for each core program area within the business plan.				●	
		3.2.8. Identify cost recovery and tactics for marketing and pricing to incorporate into the business plan.				●	

**PROGRAMMING GOAL**

<b>Goal</b>	<b>Objective</b>	<b>Strategy/Action Item</b>	<b>Ongoing &amp; Short Term</b>	<b>Priority Pending Funding</b>	<b>Aspirational Long-Term</b>	<b>Duplicate or Repetitive</b>	<b>Completed</b>
		3.2.9. Define the performance measure for each outcome identified so staff know what constitutes success.					






















**ARTS AND CULTURAL RESOURCES GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
<b>Arts &amp; Cultural Resources Goal 1: Invest in arts and cultural resources to continue developing the Town's culture and arts.</b>							
	1.1. Establish sustainability for arts and cultural resources, cultural assets, programming and events.	1.1.1. Consider establishing an arts and cultural resources funding policy that designates one percent of all capital improvement project budgets be transferred for dedicated funding to future culture and arts projects.			●		
		1.1.2. Partner with organizations for grant dollars to demonstrate larger reach.	●				
		1.1.3. Partner with similar providers and artist organizations to provide services.	●				
		1.1.4. Partner with organizations, use contracted services, and develop a robust volunteer base to build capacity.	●				
		1.1.5. Develop a business plan to determine the appropriate sustainable level and provide direction to staff on managing arts and cultural resources moving forward.			●		
		1.1.6. Update audiovisual technology in GPAC and incorporate new programming needs into the upgrade.	●	●			
		1.1.7. Develop a strategy and timeline to increase the It's Showtime Series budget for national acts with greater recognition.		●			
	1.2. Identify additional cultural resources that should be protected and communicate with owners to establish a plan moving forward for preservation and potential procurement.	1.2.1. Develop a database of potential cultural resources in and around Garner that capture the essence of life in town.			●		
		1.2.2. Develop criteria for prioritizing identified additional assets that include local heritage, prominence, adjacent to a trail corridor, potential programming, and use.			●		
		1.2.3. Work with current owners of potential cultural resources identified to convey the importance of preserving cultural assets and where appropriate develop a plan moving forward to preserve the asset.			●		
		1.2.4. Acquire key cultural resources as Town assets to preserve for the future.			●		
	1.3. Capture cultural history to guide the overall direction of arts and cultural resources in Garner.	1.3.1. Research the history of all cultural assets including stories, pictures, and artifacts for helping to develop the Garner arts and cultural resources story.			●		
		1.3.2. Use history of asset's prior use, pictures, and artifacts for interpretive signage at specific places in the community.			●		

**ARTS AND CULTURAL RESOURCES GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		1.3.3. Develop a cultural heritage trail connecting the cultural assets of the community. This can be trail in connecting them to visitors to a fully developed trail connecting them for a self-guide hike and history experience.		●			
<b>Arts &amp; Cultural Resources Goal 2: Enhance services to activate spaces and contribute to the Town's cultural resource services.</b>							
	2.1. Establish a public art program to incorporate pieces into the park system.	2.1.1. Develop the public art program for art in public buildings, art pieces in parks and entrances to facilities, structural art incorporated into new vehicle and pedestrian bridges, and competition event where temporary pieces are displayed after the event.		●			
		2.1.2. Develop public art program outcomes and processes for implementation.		●			
		2.1.3. Promote the public art program when projects have been identified and develop an RFP for artists to submit proposals.		●			
		2.1.4. Ensure the Town knows each public art piece's total cost of ownership including procurement, installation, annual maintenance, repairs, and replacement (if needed).		●			
	2.2 Continue to nurture appreciation for and participation in the culture and arts of Garner.	2.2.1. Develop a database of arts and cultural resources that capture the essence of life in Garner. Use the data collected to develop messaging about what Garner has to offer.				● ACR-1.2.1	
		2.2.2. Youth Spotlight - using the talent from within the schools, create opportunities where youth performers can display their talents onstage before another performance.			●		
		2.2.3. Develop a grant program for programs that foster the arts in youth and can demonstrate increasing the reach of Garner culture and arts.			●		
		2.2.4. Provide instruction and an outlet for creative writing in Garner of the literary arts including poetry, short stories and creative artwork using letters and words.	●				
	2.3. Enhance arts and cultural resources within Garner through partnerships including local similar providers and businesses.	2.3.1. Partner with similar providers, local artists, and businesses to establish a Culture and Arts Commission that establishes unified encompassing goals.			●		
		2.3.2. Partner with similar providers for new programming in the areas of ethnic festivals, art lessons, and art, dance, and performing arts events.				● ACR-1.1.3 & PR-2.1.3	
		2.3.3. Develop a grant program for initiatives that strengthen the culture and arts outcomes identified in all plans that are driving arts and cultural resources development.				● ACR-2.2.3	

**OPERATIONS GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
<b>Operations Goal 1: Build capacity in the organization to deliver quality services to the community.</b>							
	1.1. Continue to ensure quality management through updated standards, additional staff, and updated plans that provide direction to achieve the desired outcomes.	1.1.1. Update maintenance standards as new assets are incorporated into the system and as capacity improves.				 PA-3.3.1 & 3.3.2	
		1.1.2. Update program standards as new programs are developed and marketed.				 PR-2.1.1	
		1.1.3. Develop contracted services standards for all recreation contractors that identifies the quality standards for service delivery, ensuring consistency.				 O-1.4.1	
		1.1.4. Seek to add staff for administrative support, instructors, front desk, park, recreation specialists and park planning to achieve capacity for continued operations, enhancements, and implementation of the Comprehensive Plan.					
		1.1.5. Ensure all plans identify outcomes and define performance measures for success.					
	1.2. Maximize existing technology and research new technology that can help the efficiency and effectiveness of the Department.	1.2.1. Assign internal staff to become the guru for each operational software, financial systems and digital marketing software to increase effectiveness.					
		1.2.2. Regularly research new technology through internet searches, national and state association conference sessions on technology, and peer communities.					
		1.2.3. Develop and provide regular refresher training on software to ensure proficiency and deliver software update training as Department upgrades versions.					
	1.3. Evaluate existing declining services and new opportunities to determine the workload and departmental capacity.	1.3.1. Develop a workload management tool to help determine where capacity exists and new services can be added.					
		1.3.2. Classify all major functions and services as essential, important or value added to help in workload management.					
		1.3.3. Evaluate current services annually using the workload management tool to determine if service should be enhanced or retired.				 PR-2.3	
		1.3.4. Track and monitor capacity using workload management tool.					
	1.4. Use contracted services to build capacity and implement contract management best practices to achieve outcomes.	1.4.1. Develop standardized approach to contract development using best practices.				 O-1.1.3	
		1.4.2. Assign contracts to individuals with a focus on delivering and receiving in full the agreed upon terms.					
		1.4.3. Annually review contracts to determine whether to continue, amend, or discontinue contractual agreements.					
<b>Operations Goal 2. Continue building capacity in facilities that support recreation and cultural arts.</b>							

**OPERATIONS GOAL**














Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed	
	2.1. Conduct a capacity study to maximize the use of spaces in the Garner Recreation Center, Avery Street Recreation Center & Annex, Senior Center, and GPAC.	2.1.1. Calculate the capacity of use for indoor spaces within the new recreation center, GSC, ASC and Annex, White Deer, and GPAC		●				
		2.1.2. Calculate the capacity of use for all ball diamonds.		●				
		2.1.3. Calculate the capacity of use for all multi-purpose fields.		●				
		2.1.4. Use the capacity calculations to determine availability of each indoor and outdoor space.		●				
		2.1.5. Identify predominant internal uses and external uses in the capacity study.		●				
		2.1.6. Regularly track requests or space that cannot be accommodated to find solutions for the community.		●				
	2.2. Allow for flexibility in capacity to remain agile in responding to changing priorities.	2.2.1. Identify times for participant use of indoor spaces to allow flexibility in meeting needs.			●			
		2.2.2. Develop a list of spaces and times where flexibility exists due to underutilization or seasonal uses.			●			
		2.2.3. Identify peak demand for spaces and use pricing strategies to drive demand to light use periods for spaces.			●			
		2.2.4. Develop list of factors that are driving demand or that impede use of the spaces to help address capacity.			●			
	<b>Operations Goal 3: Continue to enhance marketing and communication of services using best practices in the private industry to achieve outcomes increasing awareness.</b>							
	3.1. Update the marketing and communications plan for the Department to include recommendations and data developed from the Comprehensive Plan and continue to ensure it is in line with Town standards.	3.1.1. Include the Market Potential Index, Target Market, Segmentation, and Return on Investment sections of the Marketing Plan.		●				●
3.1.2. Regularly review market potential data to ensure services are in line with the primary target market and identified needs.			●					
3.1.3. Regularly review community demographics and target markets.			●					
3.1.4. Plan Skipped this Number						●		
3.1.5. Incorporate marketing and communications objectives from the Comprehensive Plan within miniature business plans when developed to demonstrate connections.			●					
3.2 Identify and include the features, advantages, and benefits of Department programs and services into marketing to increase awareness.		3.2.1. Continue to develop content with features, advantages, and benefits of programs and services through digital and printed media.		●				



**OPERATIONS GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		3.2.2. Capitalize on responses from the System Plan survey on why people participate in Town programs and how they learn of them to develop messaging and determine best marketing method to use.	●				
		3.2.3. Develop campaigns and initiatives to create increased reach and awareness of Department Mission implementation and draw attention to the human story and connections.	●	●			
		3.2.4. Seek developing stories in operations from each division of the Department to share with residents that reinforce the mission and brand awareness.	●				
		3.2.5. Annually review collateral developed to ensure a best practices approach to marketing and to avoid becoming institutional in messages and materials.	●				
	3.3. Implement additional best practices in departmental marketing and communications through content development, tracking, reach, and return on investment.	3.3.1. Build marketing and communication around return on investment to incorporate key performance indicators.	●				
		3.3.2. Conduct messaging meetings to identify upcoming opportunities that should be captured that tells the department's story.	●				
		3.3.3. Train all staff on the marketing plan and how to implement it efficiently and effectively.	●				
		3.3.4. Develop a list of examples in operations that can help the department tell their story.	●				
		3.3.5. Implement training across the board to full-time staff and seek assistance in obtaining photos.	●				
		3.3.6. Include quick links in digital marketing where readers can easily find additional content and go to registration pages in RecDesk.	●				●
	3.4. Work with Public Works Department to enhance communication internally and tell the story of park maintenance to increase community awareness.	3.4.1. Develop a process for following up with the public on issues and challenges identified by residents.	●				
		3.4.2. Meet regularly to discuss issue resolutions and upcoming opportunities to tell the maintenance story.	●				
		3.4.3. Train Public Works staff on taking photos of projects, tasks, and Garner Info tickets for increased awareness.				● O-3.4.4	
		3.4.4. Develop training for Public Works staff on identifying opportunities in parks and facility maintenance that can be developed into content to share with the community on social media.		●			
<b>Operations Goal 4. Continue to train staff on best practices to build capacity and create new skill sets needed to achieve operational outcomes.</b>							











**OPERATIONS GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
4.1. Identify necessary training to increase knowledge and capacity of employees for managing duties, responsibilities and outcomes.		4.1.1. Identify operational outcomes of the new Garner Recreation Center and conduct training for new functions as the facility launches operations.					
		4.1.2. Identify operational outcomes of the new properties once developed and conduct training for new functions as parks launch operations.					
		4.1.3. Seek private sector training for business operations and marketing professional development opportunities to increase earned income and funding resources.					
		4.1.4. Identify employees who would benefit from NRPA Schools and apply for grants to Revenue Management School, Supervisor Management School, Foundation Management School, Event Management School, and Director's School.					
4.2. Train staff on implementation of the Comprehensive Plan and improved operations for increased efficiency and effectiveness.		4.2.1. Periodically meet with staff to discuss progress on implementation of the Comprehensive Plan or create an internal newsletter to provide staff as an update.					
		4.2.2. Develop teams to initiate and manage aspects of the Comprehensive Plan implementation based on strengths and outcomes.					
		4.2.3. Identify learning objectives associated with training to distribute in advance of training and cover when training is implemented.					
		4.2.4. Prepare materials needed for training that will help support learning objectives.					
		4.2.5. Develop an activity that is hands on to help staff practice and implement what is being learned.					
		4.2.6. Evaluate the training session through participants to make improvements for future training.					
<b>Operations Goal 5. Regularly track and monitor capacity and workload to ensure resources needed are obtained to manage assets to achieve full lifecycle.</b>							
5.1. Classify and prioritize parks maintenance functions and services as essential, important, and value added.		5.1.1. Evaluate current workload and services annually to determine current capacity.					
		5.1.2. Classify each of the major functions and services as essential, important, and value added.					
		5.1.3. Further define the classifications as either lead or support functions to monitor workloads.					
		5.1.4. Update these to include new parks, facilities and amenities that are added to the system as it evolves.					

**OPERATIONS GOAL**

<b>Goal</b>	<b>Objective</b>	<b>Strategy/Action Item</b>	<b>Ongoing &amp; Short Term</b>	<b>Priority Pending Funding</b>	<b>Aspirational Long-Term</b>	<b>Duplicate or Repetitive</b>	<b>Completed</b>
5.2. Evaluate current workload and services annually to determine current capacity.		5.2.1. Using the Classification of Services, establish weekly tally of hours spent on functions/service by each employee to manage workloads.		●			
		5.2.2. Continue to manage capacity by evaluating if functions/services should be done inhouse or contracted.		●			
		5.2.3. Update defined roles and workload for new functions/services as assets are added to the system to determine if these can be absorbed or if additional resources are needed.		●			
		5.2.4. Continue to research and identify updates in technology and software where automation increases capacity.		●			
		5.2.5. Determine the appropriate staffing level based on major functions/services, frequency of task, and the hours needed to properly maintain to ensure the capacity to maintain and preserve assets as the system grows and adds new amenities, parks, service areas, and facilities.		●			
5.3 Develop a cost of service and total cost of ownership model from maintenance tasks on specific parks, facilities and amenities.		5.3.1 - Conduct a cost of service study to determine the expenses associated with tasks and frequencies of maintenance of a specific park and apply across the system		●			
		5.3.2 - Conduct a cost of service study of a specific facility to determine the expenses associated with tasks and frequencies of maintenance and apply across the system		●			
		5.3.3 - Conduct a total cost of ownership study of playground amenities to determine the expenses associated with tasks and frequencies of maintenance and apply across the system		●			
		5.3.4 - Update the cost of service study as costs increase and amenities are replaced from reaching their full lifecycle.		●			
5.4 Anticipate resources that will be needed as the Town evolves based off planned development, initiatives and enhancements in Town services.		5.4.1 - Identify and document the anticipated number of hours and frequency of added responsibilities to the overall workload of Parks and Grounds as the system is developed	●	●			
		5.4.2 - Identify and document needed equipment and training to properly maintain new parks, facilities, and amenities as they are added to the system.	●	●			
		5.4.3 - Identify additional staffing needed to maintain new parks, facilities, and amenities before they are added to the system.	●	●			
		5.4.4 - Identify funding needed to properly maintain assets using the cost of service and workload management for assets that will be added to the system.	●	●			




**OPERATIONS GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
		5.4.5 - Update the Parks Maintenance and Operations Management Plan as new assets are added to the system.					
<b>Operations Goal 6. Continue to train staff to ensure readiness, responsiveness, and develop new skillsets needed to achieve operational outcomes.</b>							
	6.1. Identify necessary training to increase the knowledge and skill sets of employees as new parks, facilities and amenities are added to the park system.	6.1.1. Budget for leadership positions within Parks and Grounds to attend the NRPA Parks Maintenance Management School and budget for staff to attend.				 O-4.1.4	
		6.1.2. Identify additional training needed as new parks, facilities, and amenities are being planned to add to the system and incorporate into the training assessments as they are updated.				 O-4.1	
		6.1.3. Develop a succession plan for Parks and Grounds and Facility staff to ensure capacity and opportunities for advancement.					
		6.1.4. Cross-train Parks and Grounds and Athletics and Grounds staff on essential and important tasks to keep capacity when staff levels are low due to PTO or turnover.					
	6.2. Train staff on implementation of the Comprehensive Plan and the desired outcomes for increased efficiency and effectiveness in service delivery.	6.2.1. Assign teams to initiate and manage aspects of the Comprehensive Plan implementation based on strengths and outcomes.				 O-4.2.2	
		6.2.2. Periodically meet with staff to discuss progress on implementation of the Comprehensive Plan and create an internal newsletter to provide staff as an update.				 O-4.2.1	
		6.2.3. Identify learning objectives associated with training on Comprehensive Plan implementation to distribute in advance of training and cover when training is implemented.				 O-4.2.3	
		6.2.4. Prepare materials needed for training that will help support learning objectives				 O-4.2.4	
		6.2.5. Evaluate the training session through participants to make improvements for future training.				 O-4.2.6	

**FINANCES GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed	
<b>Finances Goal 1: Establish strategies for identifying financial resources needed to incorporate new facilities, amenities, and services</b>								
	1.1. Develop a full cost of service assessment for the Department to determine unit costs in parks and cost recovery level goals in recreation programs and facilities.	1.1.1. Conduct cost of service to determine the direct and indirect costs for services.	●			● PR-1.2.2 O-5.3		
		1.1.2. Determine the cost of service for providing and managing facilities.	●					
		1.1.3. Use cost of service to project costs to provide, maintain, and operate programs and facilities before they are added to the system.	●					
		1.1.4. Develop cost recovery goals based on cost of service to ensure sustainability.	●					
		1.1.5. Use full cost of service assessment in combination with cost recovery goals to train staff on financial outcomes of operations.	●					
	1.2. Develop a full cost of ownership assessment for the Department assets to determine unit costs in parks and facilities development.	1.2.1. Identify all costs associated with specific capital projects including purchasing, constructing, maintaining over the lifecycle and replacement costs.	●	●			● PR-1.2.2 O-5.3	
		1.2.2. Use full cost of ownership to understand the operational costs, anticipated maintenance costs, and replacement for planning purposes.	●	●				
		1.2.3. Update the lifecycle replacement plan for all amenities and facilities that are added to the system.	●	●				
		1.2.4. Use maintenance standards for parks and facilities to determine total cost of ownership based on maintenance frequency.	●	●				
	1.3. Continue cost containment measures to improve the cost recovery of each division and the Department.	1.3.1. Continue program and event budgets to include indirect cost recovery and define cost recovery targets on an annual basis.	●					
		1.3.2. Move to centralize accounts receivable and payable in the Department once the Department has increased capacity in administrative support.				●		
		1.3.3. Conduct regular financial reviews with managers overseeing division financials to monitor progress towards goals.	●					
		1.3.4. Set financial performance measures to incorporate into the business plans and incorporate into staff goals.	●					
		1.3.5. Explore contracted services to determine if services are cost beneficial to do in-house versus outsourcing.	●					
	<b>Finances Goal 2. Continue exploration of varied funding sources and develop business plans to support operations, maintenance, and capital projects.</b>							
	2.1. Explore all funding for capital projects and implement the most feasible strategies		●		●			
	2.2. Explore funding for operations and maintenance and implement the most feasible strategies		●		●			

**FINANCES GOAL**

Goal	Objective	Strategy/Action Item	Ongoing & Short Term	Priority Pending Funding	Aspirational Long-Term	Duplicate or Repetitive	Completed
	2.3. Develop business plans for each cost center and facility and train staff to the outcomes					 PR-3.2	
<b>Finances Goal 3: Develop strategies and guidelines for management of deferred maintenance and financial documents.</b>							
	3.1. Establish a strategy to minimize deferred maintenance growth and ensure timely replacement of infrastructure and amenities.						
	3.2. Amend existing financial policies and develop new to include cost recovery for the cost centers and core program areas using the cost of service to improve sustainability.					 O-5.3	

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Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023 <span style="float: right;"><input type="button" value="v"/></span>		
Subject: NCRPA New Initiative Grant		
Location on Agenda: Consent <span style="float: right;"><input type="button" value="v"/></span>		
Department: Parks, Recreation & Cultural Resources		
Contact: Megan Young, Operations Superintendent		
Presenter: Megan Young, Operations Superintendent		
<b>Brief Summary:</b> The department has been awarded a \$1,000 New Initiative Grant by the North Carolina Recreation and Park Association (NCRPA).		
<b>Recommended Motion and/or Requested Action:</b> Consider approval of grant acceptance and budget amendment, Ordinance (2023) 5125		
<b>Detailed Notes:</b> NCRPA is dedicated to providing the highest caliber of benefits to member agencies and professionals. NCRPA's Board of Directors allocated funds to be used for regional New Initiative mini-grants. Grant funds will be utilized to create a portable sensory "chill" zone for PRCR indoor and outdoor events, performances, and programs. Grant fund purchases will include a sensory tent, supplies to be used inside the tent, and sensory kits that can be checked out by attendees and participants. This project furthers PRCR's efforts to provide inclusive recreational opportunities to the community.		
<b>Funding Source:</b> N/A		
Cost: n/a	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MMB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



## Garner Parks, Recreation and Cultural Resources

900 7<sup>th</sup> Avenue • Garner, NC 27529

Phone: 919-773-4442 • Email: [garnerprcr@garnernc.gov](mailto:garnerprcr@garnernc.gov)

August 29, 2023

To: Jodi Miller, Assistant Town Manager

From: Megan Young, Operations Superintendent (PRCR)

Re: PRCR New Initiative Grant

The Parks, Recreation and Cultural Resources Department has been awarded a \$1,000 New Initiative Grant by the North Carolina Recreation and Park Association (NCRPA). NCRPA is a statewide professional association dedicated to providing the highest caliber of benefits to member agencies and parks and recreation professionals. NCRPA's Board of Directors allocated funds in 2023 to be used for regional New Initiative mini-grants.

Grant funds will be utilized to create a portable sensory "chill" zone for PRCR indoor and outdoor events, performances, and programs. Grant fund purchases include a sensory tent, supplies to be used inside the tent, and sensory kits that can be checked out by attendees and participants. This project furthers PRCR's efforts to provide inclusive recreational opportunities for the community.

A budget amendment is required to appropriate the funds.

### Staff Recommendation

That the Town Council approve the acceptance of the grant and budget amendment.

CC: Maria Munoz-Blanco, Parks, Recreation & Cultural Resources Director  
Sara Warren, Budget Director



ORDINANCE NO. (2023) 5125

ORDINANCE AMENDING ORDINANCE NO. (2023) 5209 WHICH ESTABLISHED THE OPERATING BUDGET

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

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

**Revenue Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10303500-443120	NCRPA Grant		\$ -	\$ 1,000	\$ 1,000

TOTAL REVENUE INCREASE (DECREASE) \$ 1,000.00

**Expenditure Amendment Request**

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10573000-523300	Marketing Supplies		\$ 3,675	\$ 1,000	\$ 4,675

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 1,000.00

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 19th day of Septmeber 2023.

\_\_\_\_\_  
Ken Marshburn, Mayor

ATTEST:

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

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: Minutes from the August 8, August 22, August 29 and September 5, 2023 Council meetings.		
Recommended Motion and/or Requested Action: Consider approving minutes		
Detailed Notes:		
Funding Source:		
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 checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner  
Town Council Regular Meeting Minutes  
August 8, 2023**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7<sup>th</sup> Avenue, Garner.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Mayor ProTem Elmo Vance, Council Members Gra Singleton, Kathy Behringer, Phil Matthews and Demian Dellinger

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, David Beck-Finance Director, Leah Harrison-Town Engineer, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

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

**INVOCATION:** Council Member Gra Singleton

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Motion: Council Member Singleton requested to add discussion of the Hwy 401 project to the August 22 agenda under Old/New Business.

Second: Behringer

Vote: 5:0

**PRESENTATIONS**

Council recognized Garner Magnet High School's Stephanie Nelson for being the Wake County Public School System's 2023 School Counselor of the Year.

**CONSENT**

Mayor ProTem Vance requested to pull the Budget Amendment for the Affordable Housing Workshop from the Consent Agenda.

**2023 Annual Resurfacing Contract - Bid Award (Daniels, Inc. of Garner)**

Presenter: Leah Harrison, Town Engineer

In July, staff received a total of 5 bids for the 2023 Annual Resurfacing Contract. The apparent low bidder is Daniels, Inc. of Garner with a bid of \$1,003,417.15. Daniels, Inc. MWBE percentage is 10.02%

Action: Award project to Daniels, Inc. of Garner and authorize Town Manager to execute contract.

**Rand Mill & Main Street Improvements - Design Contract Amendment**

Presenter: Leah Harrison, Town Engineer

Amendment No. 6 to design contract with Kimley-Horn and Associates for the Rand Mill & Main Street Improvements project. This amendment covers geotechnical services for stormwater and retaining wall construction. There are existing funds in the project account per adopted FY24 CIP Budget.

Action: Approve and authorize Town Manager to execute the amendment with KHA in the amount of \$8,900.

#### **Budget Amendment - Replacement Vehicle**

Action: David Beck, Finance Director

A 2021 Dodge Durango used by the Police Department has been totaled as a result of an accident. The driver of the town-owned vehicle was not at fault in the incident. The other driver's insurer is going to issue a settlement in excess of \$40,000. The proceeds will cover nearly the full cost of replacing the vehicle. This budget amendment accounts for the insurance proceeds and authorizes the purchase of a replacement vehicle.

Action: Adopt Ordinance (2023) 5214

#### **Duke Easement for Town's Parker and Pearl Properties**

Action: Terri Jones, Town Attorney

Duke Energy Progress has requested the Town to grant an easement over Town properties located at 405 W. Main Street, 106 Pearl Street, 110 Pearl Street, and 303 Parker Street in Downtown Garner. The easement is necessary for utility relocations associated with the Pearl Street Townhome project and associated road improvements.

Action: Authorize the Mayor or Manager to execute the Duke Energy Easement

#### **New Bethel Church Road Speed Limit Reduction**

Presenter: Leah Harrison, Town Engineer

In response to speed concerns with the increase in development in the area, staff has worked with NCDOT to request a speed limit reduction to 45mph for the entirety of New Bethel Church Road. NCDOT has prepared the attached ordinance for the Town's concurrence with setting the new speed within Town limits of Garner.

Action: Approve Ordinance (2023) 5215 and authorize the Town Clerk to execute the municipal declaration as provided by NCDOT.

#### **Rebuilding Together of the Triangle**

Presenter: John Hodges, Assistant Town Manager

During the annual retreat in 2023, Council agreed to a proposal from the Town Manager to re-engage Rebuilding Together of the Triangle as a partner to facilitate home repair and rehabilitation services as a tool to help with housing affordability. Council agreed to the partnership and funding in the amount of \$100,000 to fund qualified rehabilitations for up to a two-year period. Fund balance generated by ARP funding will be utilized to fund the partnership.

Action: Adopt budget Ordinance (2023) 5216 and authorize the Town Manager to execute services contract

#### **Southeast Regional Library Easement**

Presenter: Terri Jones, Town Attorney

Wake County has requested that the Town execute a Declaration of Easement - Parking & Cross Access on the Town Hall and Police Station parcels located at 900 Seventh Avenue and 912 Seventh Avenue for the benefit of patrons of the Southeast Regional Library located at 908 Seventh Avenue.

Action: Authorize the Mayor to execute Declaration of Easement - Parking & Cross Access

**Stop Condition - Main Street & Rand Mill Road**

Presenter: Leah Harrison, Town Engineer

As requested by Council, the Engineering Department is seeking approval of a stop conditions on Main Street at Rand Mill Road to serve as an enhanced traffic control measure.

Action: Approve stop condition Ordinance (2023) 5217

**Stop Conditions - Oak Manor Phase 2**

Presenter: Leah Harrison, Town Engineer

The Engineering Department is seeking approval of five stop conditions in Oak Manor Phase 2 to serve as basic traffic control measures.

Action: Approve stop condition Ordinance (2023) 5218

**Council Meeting Minutes**

Presenter: Stella Gibson, Town Clerk

Minutes from the July 18 and 25, 2023 Council meetings.

Action: Approve minutes

Action: Approve Consent Agenda

Mayor ProTem Vance request to pull the Budget Amendment for Affordable Housing Workshop from the Consent Agenda.

Council consensus to approve the Consent Agenda.

Mayor ProTem Vance stated the reason this item was pulled from the agenda was to highlight affordable housing and what it means for the Town. The Town will be conducting a workshop in the area of affordable housing in September to discuss strategies to include affordable housing in our development projects.

Action: Adopt Ordinance (2023) 5213

Motion: Dellinger

Second: Behringer

Vote: 5:0

**PUBLIC HEARINGS**

**Historic Landmark Designation – Garner Woman’s Club**

Presenter: Gary Roth, Capital Area Preservation

This request is to designate the Garner Woman's Club a local historic landmark within the Town of Garner's corporate limits. Mr. Roth gave a brief history of how the Woman's Club was formed and how it came to be at its current location.

Mayor Marshburn closed the hearing.

Action: Consider motion to adopt Ordinance (2023) 5219

Motion: Matthews  
Second: Behringer  
Vote: 5:0

Council Member Singleton asked that the Hwy 401 project to added to August 22 agenda and to make sure the people notified the first time, are notified this time.

### **COMMITTEE REPORTS**

Council Member Vance advised that the HR Committee met and is recommending the following Committee appointments.

Board of Adjustment: Ellis Williams and Willie Dupree

Motion: Vance  
Second: Dellinger  
Vote: 5:0

Mayor Marshburn reported work has begun on the James Stevens Service to Garner and a recipient will be selected shortly.

### **MANAGER REPORTS**

- The Towne Players Teens' production of High School Musical Jr. will be held on August 10<sup>th</sup> through the 12<sup>th</sup> at the Garner Performing Arts Center.
- Friday Family Flicks on the lawn of Garner Recreation Center will be August 18<sup>th</sup> at 8:15 p.m. The movie is Super Mario Brothers.

Mr. Triezenberg reported that staff reached out to Matt Noonkester to review the remaining steps and to get a possible adoption date of the Garner Forward Plan. Mr. Noonkester will present the Cost-of-Services Study and review changes made in Version 3 of the document.

Council Member Dellinger proposed holding a public hearing to adopt the plan.

### **ATTORNEY REPORTS**

Senate Bill 675 which is the ETJ expansion and then House Bill 409 which had to do with accessory dwelling units - Both of those bills have gotten stuck in the Rules Committee and are not expected to move forward this year.

There were two items on the consent Agenda. One was a Duke easement regarding the Pearl Street Townhomes and the corresponding project to improve the street on Parker and Pearl Streets. The other was cleanup of an old issue with the Southeast Regional Library and the Police Station development. The Town had previously agreed to enter into a cross access easement and parking easement with Wake County and they have asked for an executed copy of that agreement. Ms. Jones asked if Council was comfortable delegating Authority for these types of utility easements or cross-access easements to the

Manager. Ms. Jones also asked Council to consider any other decisions they may want to delegate to the Manager.

## **COUNCIL REPORTS**

Behringer

- Reported a broken tree on Aversboro near Vandora Avenue that needs to be removed.
- Stated the Woman's Club facilitated the installation of Crepe Myrtle's along the railroad right-of-way.

Singleton

- Asked if traffic calming on Poole Road was tied to the resurfacing contract. Ms. Harrison confirmed that it was and that notice will go out to neighborhoods shortly.

Dellinger

- Stated a resident in Cane Creek asked who is responsible for trees overhanging streets in neighborhoods. Mr. Dickerson responded that staff would look at on a case-by-case basis.
- Asked for a status of the updated zoning signs. Mr. Triezenberg responded that staff is currently working on obtaining larger signs.

Matthews

- Thanked Police, Fire & Rescue, Public Works and all those involved who worked during the most recent storm to get the Town back in running order.

Vance

- Reported attending an event at Lorraine's Coffee hosted by Congressman Wiley Nickel.

Marshburn

- Thanked the Parks & Recreation Department for their hard work.

## **CLOSED SESSION**

Ms. Jones summarized action taken during the closed session.

Concerning the handling of judicial actions and other administrative procedures regarding three enforcement actions that the staff and Town Attorney would like to take and recommended that Council adopt Resolution No. (2023) 2541 which would authorize the Town Attorney or outside Council selected by the Town Attorney to be authorized and directed to initiate such proceedings as necessary to effectuate the enforcement of Town Ordinances abatement of Chapter 19 nuisances and to collect civil penalties and other debts owed to the Town.

Action: Adopt Resolution (2023) 2541

Motion: Singleton  
Second: Matthews  
Vote: 5:0

ADJOURN: 7:49 p.m.

**Town of Garner  
Town Council Regular Meeting Minutes  
August 22, 2023**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7<sup>th</sup> Avenue, Garner.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Mayor ProTem Elmo Vance, Council Members Gra Singleton, Kathy Behringer, and Phil Matthews

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, David Beck-Finance Director, Leah Harrison-Town Engineer, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Mayor ProTem Elmo Vance

**INVOCATION:** Mayor ProTem Elmo Vance invited Amy White of Community of Hope to deliver the invocation

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Council Member Dellinger requested to participate remotely.

Action: I move to allow Demian Dellinger who is physically absent to participate in the meeting by electronic means including participation in discussion of agenda items. Council Member Dellinger is excused from the meeting and therefore not counted towards the quorum and not obligated to vote under NCGS Section 160A-75.

Motion: Singleton  
Second: Vance  
Vote: 4:0

**PRESENTATIONS**

Mr. Carlton S. McDaniel, Jr. was recognized as the recipient of the 2023 James R. Stevens Service to Garner Award – our community’s most prestigious recognition for public service rendered over an extended period of time.

**CONSENT**

**Raleigh Water Utility Customer Assistance Program Interlocal Agreement**

Presenter: John Hodges, Assistant Town Manager

The Town of Garner has participated in the Raleigh Water Utility Customer Assistance Program (UCAP) since its inception. The interlocal agreement commits funding in the amount of \$15,000 budgeted in the FY2024 budget and sets forth parameters for implementation of the program.



Action: Authorize the Manager to execute the FY 2024 ILA and future agreements related to the UCAP program, if budgeted.

**Budget Amendment – PRCR Revenues**

Presenter: David Beck, Finance Director

The Parks, Recreation and Cultural Resources (PRCR) department was awarded two grants earlier in 2023. The grant funds were received by the Town after the new fiscal year started so this amendment pulls the budget into the new year and allows the funds to be spent.

Action: Approve Ordinance (2023) 5213

**Garner Recreational Park Playground Surface Contract Award (Bliss Products & Services Inc.)**

Presenter: Katie Lockhart, Parks & Nature Superintendent

On July 31, 2023, staff received a total of 2 bids for the installation of poured-in-place rubber safety surface at the Garner Recreational Park playground. The apparent low bidder is Bliss Products & Services, Inc. with a bid of \$137,222.00.

Action: Award project to Bliss Products & Services, Inc., authorize the Town Manager to execute the contract, and 10% contingency.

**Surplus Property**

Presenter: David Beck, Finance Director

Public Works would like to surplus a salt spreader that was replaced as part of the VERT program due to its poor condition.

Action: Approve Resolution (2023) 2542

Action: Approve Consent Agenda

Motion: Matthews

Second: Behringer

Vote: 4:0

**PUBLIC HEARINGS**

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

Presenter: Ashley Harris, Planner and Jeff Triezenberg, Planning Director

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 (platted individual residential lots), 500 multifamily residential units (multiple units on common lots), 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.

Staff responded to Council’s questions and clarified several areas of the project. Of particular concern was the lack of recreational space.

Michael Birch, on behalf of the applicant, also provided an overview of the project.

Citizens in attendance voiced concerns relating to the following:

- Location of recreational space
- Wildlife and conservation
- Density of project
- Building height
- Rental development
- Parking
- Increased traffic congestion
- Road improvements on St. Patrick
- Emergency vehicle access
- Validity of traffic study
- Number of traffic lights
- Site distance from Simpkins Road to St. Patrick
- Impacts to the Swift Creek watershed
- Storm water
- Buffers
- Heavy metals built up from fungicides and pesticides over the years relating to the golf course
- Quality of life

Action: Staff will work with the developer on reconfiguring the site plan to include more recreational space, the 100-year storm event, updated traffic information, investigation of the condition of the soil from the golf course. Also confirm everyone in attendance and in the 800 feet area of the project receive notification of the next neighborhood meeting.

Motion: Singleton  
 Second: Vance  
 Vote: 5:0

**NEW/OLD BUSINESS**

**Downtown Development Project with LMG Garner LLC**

Presenter: Terri Jones, Town Attorney

An amended Memorandum of Understanding (MOU) is necessary to continue exploring options for a downtown development project on Town property as a mixed-use public-private project to include new retail space, new housing units, and additional parking. LMG asked for an amended and restated Memorandum of Understanding in order to fully understand what the Town is committed to going forward.

Council Member Dellinger asked that when the final master proposal agreement is submitted that it includes cost share for the parking deck.

Action: Authorize the Manager move forward with the amended and restated MOU between the Town of Garner and LMG.

Motion: Singleton  
 Second: Matthews  
 Vote: 4:0

**COMMITTEE REPORTS**

Council Member Vance reported that applications for the various Board vacancies are currently being reviewed.

## **MANAGER REPORTS**

- Talk of the Town
- Capital Projects Update
- Downtown Pop-Up Market is on Saturday, August 26<sup>th</sup> at 10:00 a.m. along Main Street.
- DFI Affordable Workshop proposed for Thursday, September 21<sup>st</sup> from 9:00 a.m. – 12:30 p.m.
- Upcoming Economic Development Events
  - Garner IMPACT Conference (formerly CONNECT) – Thursday, August 24<sup>th</sup>
  - TCC Vertical Mixed Use and Fenton Tour – Wednesday, August 30<sup>th</sup>
  - Garner Chamber Richmond Inter-City Visit – September 13<sup>th</sup> – 14<sup>th</sup>

## **ATTORNEY REPORTS**

Senate Bill 108 was passed over the governor's veto last week. This is a bill that makes changes to development standards including building code and storm water. Ms. Jones will work with staff to analyze the impacts to the Town.

## **COUNCIL REPORTS**

Behringer

- Asked for an update from Go Raleigh on the shelter in front of the Senior Center (at Garner Rec Park). Mr. Hodges responded that we do not have an update on that but that he would follow-up.
- Congratulated Mr. McDaniel on being the recipient of the James R. Stevens Service to Garner Award.

Vance

- Commented on the number of emergency calls related to xylazine and fentanyl and the increased number of overdoses. Narcan will not reverse the effects of xylazine if it is mixed with an opioid. He said he would be interested to see the statistics on the rise of these drugs and their locations.

Singleton

- Reported the emergency entrance at the Avenues at White Oak has tall grass and needed to be cleaned up.
- Stated that, in his opinion, the pace to approve the Garner Forward Comp Plan was too fast and that review should be slowed down in order to give everyone the opportunity to thoroughly review the document before adoption. Council Member Dellinger added that we should be focusing on the Garner Forward Plan and the UDO changes.

Mayor Marshburn and Council Members Matthews and Dellinger had nothing to report.

## **CLOSED SESSION**

Council met with the Town Attorney to receive a report regarding litigation and to discuss a personnel matter.

**ADJOURN:** 9:52 p.m.

**Town of Garner**  
**Town Council Work Session Meeting Minutes**  
**August 29, 2023**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7<sup>th</sup> Avenue, Garner.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Mayor ProTem Elmo Vance, Council Members Gra Singleton, Kathy Behringer, Phil Matthews, and Demian Dellinger

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jodi Miller-Asst. Town Manager, David Beck-Finance Director, Maria Munoz-Blanco-PRCR Director, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

**ADOPTION OF AGENDA**

Motion: Vance  
Second: Matthews  
Vote: 5:0

**PRESENTATIONS**

None

**DISCUSSION/REPORTS**

**Cost of Services Study**

Presenter: Matt Noonkester, City Explained

Matt Noonkester with City Explained presented a final draft of the Municipal Cost of Services Study. A preliminary draft was presented during the Council's annual retreat and since that time the data has been further refined to enhance the analysis.

Action: Received as information

**Garner Forward Comprehensive Plan**

Presenter: Matt Noonkester, City Explained

Mr. Noonkester presented Version 3 of the Final Public Draft of the Garner Forward Comprehensive Plan.

**Garner Parks, Recreation & Cultural Resources Comprehensive Master Plan Update**

Presenter: Maria Munoz-Blanco, PRCR Director

Ms. Munoz-Blanco presented an updated timeline and prioritization for Chapter 10 - Action + Implementation Plan of the Town of Garner Parks, Recreation & Cultural Resources Comprehensive Master Plan.

Council was supportive of the master plan noting that funding would need to be in place to accomplish some of the projects. Council was also supportive of the proposed timeline.

## **MANAGER REPORTS**

- Changes to the September Pending Agenda Report:
- On September 5<sup>th</sup>, we had anticipated doing the Walters Buffalo development agreement update and then the White Oak Bryan traffic signal agreement. Staff received some comments from NC DOT on the agreement for the traffic signal particularly on the sub-agreement that we would have with Pulte, so this item will be moved to the 19<sup>th</sup> meeting to allow time to work out the details. Ms. Behringer asked if the installation of the stop light at Bryan Road would also include repairing the damage that's already there. Mr. Hodges responded that it was his understanding that some improvements will be made to the pavement due to the road widening. However, repairing an existing maintenance issue would not be specifically called out as a part of this project.
- Bringing back the map memo that you heard tonight in order to provide Mr. Noonkester with a more complete package of edits.

## **ATTORNEY REPORTS**

None

## **COUNCIL REPORTS**

Dellinger

- Asked for an update on the North Garner Park at the next meeting.

Behringer

- Reported the All-American City sign in front of Garner Rec Park has mildew on it.
- Reported junk cars in the carport of 1412 Vandora Springs Road.
- Asked about the GoRaleigh bus shelter at the Senior Center. Mr. Hodges responded that GoRaleigh has prioritized the shelter and it could be installed early as this week.

Marshburn

- Commented on the versatility of the Garner Performing Arts Center.

Singleton

- Make sure to put some public art at the splash pad.

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

## **CLOSED SESSION**

Council met to consult with the Town Attorney regarding current litigation. The matter was discussed and direction was given as to how the Town Attorney should proceed.

**ADJOURN:** 8:59 p.m.

**Town of Garner  
Town Council Work Session Meeting Minutes  
September 5, 2023**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7<sup>th</sup> Avenue, Garner.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

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

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Present: Mayor Ken Marshburn, Mayor ProTem Elmo Vance, Council Members Kathy Behringer, Demian Dellinger, Phil Matthews, and Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Assistant Town Manager, Jodi Miller-Assistant Town Manager, David Beck-Finance Director, Leah Harrison-Town Engineer, Jeff Triezenberg-Planning Director, Paul Padgett-Inspections Director, Maria Munoz-Blanco-PRCR Director

**PLEDGE OF ALLEGIANCE:** Council Member Kathy Behringer

**INVOCATION:** Council Member Kathy Behringer

**PETITIONS AND COMMENTS**

None

Mayor ProTem Vance requested to add an additional closed session to discuss personnel.

**ADOPTION OF AGENDA**

Motion: Matthews  
Second: Vance  
Vote: 5:0

**PRESENTATIONS**

Council and staff recognized Colleen Doig on her retirement from the Town after 22 ½ years of dedicated service.

**CONSENT**

None

**PUBLIC HEARINGS**

None

**NEW/OLD BUSINESS**

**Wake Housing Authority Financing for Tryon Station**

Presenter: John Hodges, Assistant Town Manager

Town Council is required under State law to approve the issuance of multifamily housing revenue bonds within the Town limits. The Wake Housing Authority intends to issue these bonds to provide financing for the Tryon Station Development, an affordable rental housing project, to be located at 1509 Creech Road in Garner.

Action: Adopt Resolution (2023) 2544

Motion: Singleton  
Second: Matthews  
Vote: 5:0

### **Tryon Station Affordable Housing Development - Request for Additional Gap Financing**

Presenter: John Hodges, Assistant Town Manager

Ted Hebron provided an overview of the request and the need for additional funding. Town Council previously committed \$500,000 in financing for the Tryon Station affordable housing development funded by the Town's American Rescue Plan Act (ARPA) funds. Rising interest rates have increased the funding gap for the project and the developer is requesting additional support from the Town and Wake County. The request of the Town is an additional \$250,000 in financing to increase the \$500,000 commitment to \$750,000. Wake County has given tentative approval for an additional \$1.5 million contingent on the Town's participation in the additional gap funding.

Action: Consider increasing financing from \$500,000 to \$750,000

Motion: Vance  
Second: Behringer  
Vote: 5:0

### **Draft Garner Forward Comprehensive Plan - Mapping Edits**

Presenter: Jeff Triezenberg, AICP, GISP; Planning Director

Mr. Triezenberg reviewed the list of mapping edits proposed for the draft Garner Forward Comprehensive Plan. Factors considered: geographic distribution, availability of land along existing or near-term transportation corridors, previous Council development decisions, and past plans. Council discussed each map and after hearing their concerns, staff will investigate further to see what changes staff might propose, based on their input.

### **COMMITTEE REPORTS**

Mayor ProTem Vance reported that the Human Resources Committee will be meeting this month to fill the vacant positions on the Planning Commission, Board of Adjustment, and the Senior Center Advisory Boards.

### **MANAGER REPORTS**

- Community meetings to update the public about the South Garner Greenway project are on Tuesday, September 12<sup>th</sup>. The meeting will be from 4:00 p.m. to 7:00 p.m. at the White Deer Nature Center.
- Festival Latino is on Friday, September 8<sup>th</sup> at the Garner Recr Center from 6:00 p.m. to 10:00 p.m.

- The kickoff for Garner's Big Read project is Thursday, September 7<sup>th</sup> at 5:30 p.m. at the Southeast Regional Library.
- The Public Works Department will be hosting an electronics recycling event on Saturday, September 16<sup>th</sup> from 8:00 a.m. to 1:00 p.m. at the Public Works complex located at 610 Rand Mill Road.
- A free concert by the Sole Psychedelic Orchestra will be on September 16<sup>th</sup> from 3:00 p.m. to 7:00 p.m. in celebration of the 100<sup>th</sup> anniversary of the Garner High School building (which houses the Garner Performing Arts Center). The Garner History Museum will be open that day from noon to 5:00 p.m.

## **ATTORNEY REPORTS**

## **COUNCIL REPORTS**

### Behringer

- Asked to have the Town of Garner sign in front of Garner Rec Park re-painted. Staff responded that a new sign had been ordered.
- The All-America sign at Garner Rec Park needs to be cleaned.
- Property on Benson Road near 2027 has tall grass and quite a number of cars.
- Joey Hopkins was appointed as Secretary of NC DOT.

### Dellinger

- The Optimist Club is hosting a BBQ chicken dinner on Friday, September 11<sup>th</sup>.
- The Cars and Coffee in Downtown is scheduled for September 17<sup>th</sup> around 8:00 a.m.

### Marshburn

- Reminded Council that the Town received notification from Capital Area Preservation that Garner was selected to receive a 2023 Anthemion Award for the relocation, rehabilitation, and adaptive reuse of the Garner History Museum at the Depot.
- Mayor ProTem Vance and Council Members Matthews and Singleton had nothing to report.

## **CLOSED SESSION**

Council met in closed session to discuss a possible real estate acquisition and the Town's negotiating position and also met in closed session to discuss the process for evaluating the performance of an individual employee.

**ADJOURN:** 8:51 p.m.



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023		
Subject: Amendment #2 - ADW Architects - Town Hall Annex		
Location on Agenda: Consent		
Department: Engineering		
Contact: Leah Harrison, Town Engineer		
Presenter: Leah Harrison, Town Engineer		
Brief Summary:  Additional services for Town Hall Annex including utility design and environmental permitting. Funding is available in the TH Annex capital budget for the amount of the amendment.		
Recommended Motion and/or Requested Action: Approve and authorize Town Manager to execute Amendment #2 with ADW Architects.		
Detailed Notes: See attached scope		
Funding Source: Installment Financing		
Cost: \$34,750	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	LH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

August 28, 2023

Lisa Rodriguez, EI, LEED GA  
Senior Engineering Project Manager  
Town of Garner  
900 7<sup>th</sup> Ave.  
Garner, NC 27529

Re: Renovations to Town Hall Annex – Additional Services Request

Dear Lisa:

ADW Architects respectfully requests an additional services fee for Architectural and Engineering services needed for services not included in our original proposal and subsequent contract. The scope of services would be as follows;

- Civil site plan review and approval through the Town of Garner. The site plan process will include the review of the following items for the Annex building:
  - Dumpster location and enclosure
  - Generator location and enclosure
  - Additional fencing alongside the northeast portion of the building
  - Regrading and paving repair for the ADA parking spaces.
- NCDEQ erosion control review and approval
- Structural foundation design for new dumpster and generator enclosures
- Provide a design for a generator to backup the entire building OR a reduced size generator which will shed the engineering side of the building when required. In either situation, the generator will be NEC 702 (optional stand-by) only.
- Replace all cold water piping within the building to the water meter.
- Provide new fiber optic service to this building. A new handhole will be designed to intercept an existing abandoned conduit which connects to existing conduit system. A new conduit from this handhole will be provided to a second handhole near the NE corner of the existing parking lot. New conduits will be provided to this building and to an existing shed. Fiber optic cable will be designed as follows: From 109 Forrest Hills to: Town Hall will be 3 pair single mode; Police Department will be 6 pairs single mode; Shed will be 2 pairs single mode. A fiber patch panel will be provided at each site.

Our fee for this work would be as follows;

Site/Civil Engineering (CLH Design)	\$6,000
Plumbing, Mechanical, Electrical Engineering (Salas O’Brian)	\$22,000
Structural Engineering (Stewart)	\$3,500
<u>ADW Architects (Architectural)</u>	<u>\$3,250</u>
Total additional services fee	\$34,750

Lisa, we appreciate the opportunity to provide this proposal. If you have any questions, or if we have misinterpreted any information related to your needed scope of services, please do not hesitate to contact us.

Sincerely,  
**ADW Architects,**



Ashley Love, AIA, LEED AP BD+C, NCARB  
Principal  
2815 Coliseum Centre Dr., Suite 500  
Charlotte, NC 28217



Jim Powell, AIA  
Managing Principal  
2815 Coliseum Centre Dr., Suite 500  
Charlotte, NC 28217

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023 <span style="float: right;"><input type="button" value="v"/></span>		
Subject: Town Lobbyist Contract		
Location on Agenda: Consent <span style="float: right;"><input type="button" value="v"/></span>		
Department: Administration		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary:  Renewal of contract for Sam Bridges to serve as Town Lobbyist. Mr. Bridges will continue to provide updates on his activities and advise Town Council and staff on any pending actions that will put the Town in a better position as it relates to policy, funding, and advocacy.		
Recommended Motion and/or Requested Action: Approve Contract		
Detailed Notes:		
Funding Source: General Fund		
Cost: \$24,000	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:          		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

NORTH CAROLINA  
WAKE COUNTY

GOVERNMENTAL SERVICES RELATIONS AGREEMENT-FY 2023-24

The parties to this Agreement, being the Town of Garner, a municipal corporation, hereinafter "Town," and the Samuel L. Bridges, hereinafter "Bridges," agree that the Town hereby retains Bridges to provide governmental relations services on behalf of the Town as set forth herein:

The purpose of this Agreement includes representation of the Town regarding issues important to the Town at the North Carolina General Assembly and at other State and local boards and agencies including the Wake County Public School System, NC DOT and the Wake County Commission, developing working relationships with individuals at the North Carolina General Assembly and at other state and local boards and agencies, monitoring the general activities of these agencies, developing a stronger understanding of the manner in which these entities are making decisions, and relaying such information to our Mayor, Town Council, and Town Manager.

Bridges agrees to be present at the North Carolina General Assembly as needed each week that they are in session and to attend general sessions and committee meetings as appropriate and to work with the governmental relations staff of the NC League of Municipalities and to interact with Congressional Representatives as directed by the Town.

Bridges agrees to be present at the monthly CAMPO Executive Board meeting in Raleigh and to attend portions of Garner Town Council meetings as necessary, to attend other state and local board and agency meetings and to contact individuals that serve in all these agencies by phone and in person, as needed, as directed by Town officials.

Bridges shall register as a lobbyist for the Town of Garner with the North Carolina Secretary of State and pay the required registration fee. (Town will pay the fee required of a principal, upon advice from Bridges regarding the payment procedure.) Bridges agrees to provide a monthly statement of services rendered. Town agrees to pay Bridges a monthly retainer of \$2,000.00 for each of the 12 months of the 2023-24 fiscal year for a total compensation of \$24,000.00 for the fiscal year 2023-2024. Town also agrees to reimburse expenses up to an additional \$2,200.00 for the fiscal year 2023-24. The parties will continue to discuss what expenses, if any, might properly be reimbursable in the governmental relations context.

Bridges and Town agree to abide by all statutes, rules and regulations promulgated by the State of North Carolina for lobbying at the General Assembly and at other state and local boards and agencies. To facilitate that agreement, Bridges will continue to inform the Town Manager of all such rules and regulations applicable to a lobbyist and applicable to a principal, including instructions regarding the lobbyist and principal filings and paying fees to the Secretary of State

or other agencies. Bridges shall continue to prepare documents necessary for the lobbyist and principal to remain compliant with the regulations promulgated by the NC Secretary of State.

This the \_\_\_\_ day of September, 2023.

(Town Seal)

TOWN OF GARNER

\_\_\_\_\_  
Ken Marshburn, Mayor

\_\_\_\_\_  
Samuel L. Bridges

APPROVED AS TO FORM:

\_\_\_\_\_  
Terri Jones, Town Attorney

ATTEST:

\_\_\_\_\_  
Stella Gibson, Town Clerk

#### PRE-AUDIT CERTIFICATE

This Agreement has been pre-audited in conformity with the applicable government finance laws of the State of North Carolina. This the \_\_\_\_ day of September, 2023.

\_\_\_\_\_  
David Beck, Finance Director

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023 <span style="float: right;"><input type="button" value="v"/></span>		
Subject: Walters Buffaloe/Cambria Development Agreement Update		
Location on Agenda: Old/New Business <span style="float: right;"><input type="button" value="v"/></span>		
Department: Legal and Planning		
Contact: Terri Jones, Town Attorney		
Presenter: Rob Rudloff, Pulte Home Company LLC		
<b>Brief Summary:</b> Update on the Cambria development project (formerly Walters Buffaloe) and associated off-site road improvements.		
<b>Recommended Motion and/or Requested Action:</b> Receive update and provide feedback		
<b>Detailed Notes:</b> Pulte received conditional rezoning approval and a special use permit for the associated Walters Buffaloe (now Cambria) development project, CZ-MP-21-12 and SUP-SB-22-01. The Town and Pulte Home Company LLC entered into a Development Agreement on December 19, 2022, addressing off-site road improvements along the White Oak/Bryan Road Corridor. The road improvements will include installation of a traffic signal at the intersection of White Oak Road and Bryan Road. It is anticipated that the schedule and milestone dates in the Development Agreement will need to be adjusted.		
<b>Funding Source:</b> N/A		
Cost: n/a	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<b>Manager's Comments and Recommendations:</b>          		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	TJ	
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		

Town of Garner  
Town Council Meeting  
Agenda Form

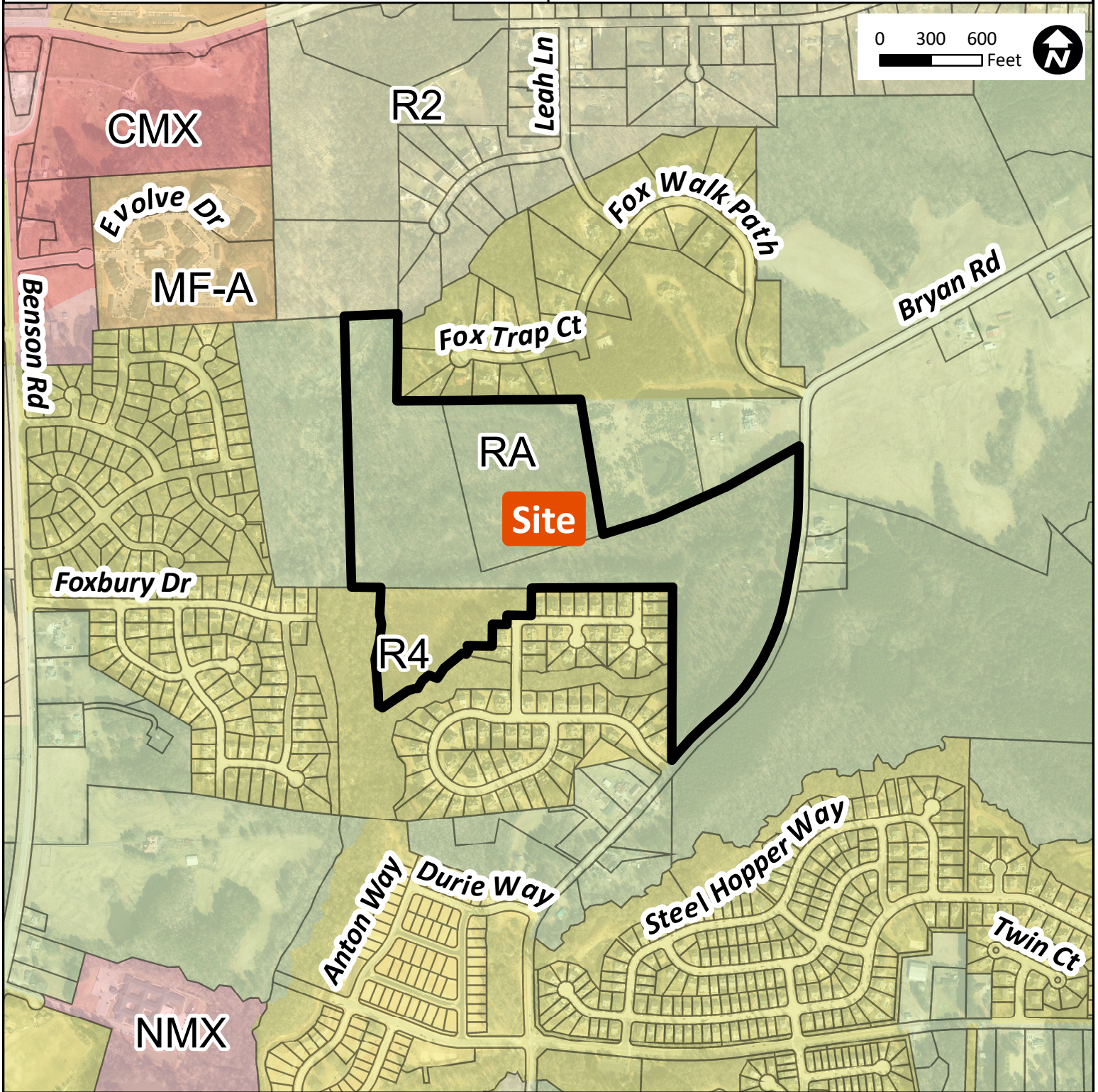
Meeting Date: September 19, 2023		
Subject: Planned District Conditional Rezoning # CZ-PD-21-02, Mahler's Creek PRD		
Location on Agenda: Old/New Business		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<p><b>Brief Summary:</b> Planned district conditional rezoning request (CZ-PD-21-02) submitted by Burton Engineering to rezone approximately 8.68 +/- acres from Single-Family Residential (R-12) - now Residential 4 (R4) - and 63.87 +/- acres from Single-Family Residential (R-40) - now Rural Agricultural (RA) - to Planned Residential Development (PRD C12) Conditional - to be Residential 4 (R4 C212) - for the development of a residential community of approximately 170 single-family homes on three sizes of lots. The site is located northwest of Bryan Road between the Everwood and Fox Haven subdivisions and may be further identified as Wake County PIN(s) 1720012472, 1720027137, and 1720019776.</p>		
<p><b>Recommended Motion and/or Requested Action:</b> Consider motion to approve by adopting Ordinance (2023) 5127</p>		
<p><b>Detailed Notes:</b> On December 6, 2021, the Town Council voted 5-0 in favor of continuing "this conditional zoning CZ-PD-21-02 to a future date when staff has gathered the information with NCDOT sometime in 2022, and that staff update Council when they get some additional information that will be helpful in moving forward with this particular agenda item and that intersection" (meaning the intersection of White Oak and Bryan roads). As of November 22, 2022, the Town has entered a Development Agreement with Pulte Home Company to widen White Oak Road and secured \$680,000 in funding from NCDOT for signal installation.</p>		
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:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		





# Town of Garner Planning Department

## Conditional District Zoning Application CZ-PD-20-02



**Project:** Mahlers Creek  
**Applicant:** Bryan Road Residential, LLC  
**Owner:** South Park Development Company, Inc.  
**Location:** 7770 Bryan Road  
**Pin #:** 1720019776, 1720027137,  
 & 1720012472

**Proposed Use:** Single-family detached  
**Current Zoning:** R4, RA  
**Proposed Zoning:** Planned Residential Development (PRD C12) Conditional  
**Acreeage:** 72.2 +/-  
**Overlay:** Lower Swift Creek Overlay District

## Planning Department Staff Report

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**TO:** Honorable Mayor Marshburn and Town Council Members

**FROM:** Jeff Triezenberg, AICP, GISP; Principal Planner

**SUBJECT:** *Planned District Conditional Rezoning # CZ-PD-20-02, Mahler’s Creek PRD*

**DATE:** September 19, 2023

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### I. PROJECT AT A GLANCE

**Project Number(s):** CZ-PD-20-02, Conditional Zoning Map Amendment

**Applicant:** Burton Engineering

**Owner(s):** Bryan Road LLC & South Park Development Corp

**General Description -**

**Project Area & Location:** 72.2 +/- acres along Bryan Road

**Wake Count PIN(s):** 1720012472, 1720027137, and 1720019776

**Current Zoning:** At time of application: Single-Family Residential (R-12) and Single-Family Residential (R-40)  
[As of 7-5-22: Residential 4 \(R4\) and Rural Agricultural \(RA\)](#)

**Requested Zoning:** At time of application: Planned Residential Development (PRD C12) Conditional  
[As of 7-5-22: Residential 4 \(R4 C212 Conditional\)](#)

**Proposed Use:** Single-Family Detached only – including federally protected uses within

**Overlay:** At time of application: Swift Creek Conservation District (SCC)  
[As of 7-5-22: Lower Swift Creek Conservation District \(LSC\)](#)

**Key Meeting Dates -**

**Public Hearing:** August 17, 2021

**Planning Commission:** September 13, 2021

**Council Decision:** December 6, 2021 ([continued indefinitely](#))  
[September 19, 2023](#)

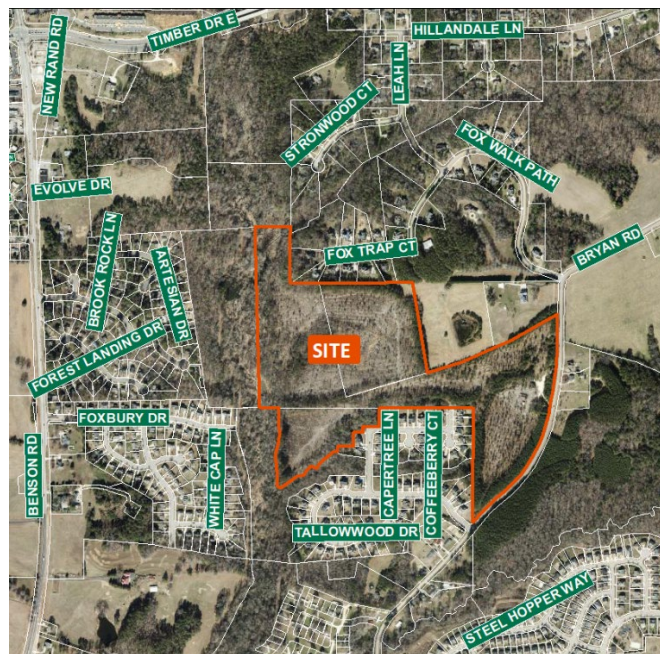
## II. BACKGROUND / REQUEST SUMMARY

**Request:** Planned District conditional rezoning request (CZ-PD-20-02) submitted by Burton Engineering to rezone approximately 8.68 +/- acres from **Single-Family Residential (R-12)** and 63.87 +/- acres from **Single-Family Residential (R-40)** to **Planned Residential Development (PRD C12) Conditional** for the development of a residential community of approximately 170 single-family homes on three sizes of lots. The site is located northwest of Bryan Road between the Everwood and Fox Haven subdivisions and may be further identified as Wake County PIN(s) 1720012472, 1720027137, and 1720019776.

The proposed zoning conditions limit the use to single-family detached residential units and the density to a maximum of 2.4 units per acre which was less than the 2.5 possible under the former general R12 zoning exercising the by-right option to develop as a cluster subdivision.

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 Residential 4 (R4) and Rural Agricultural (RA) to Residential 4 (R4 C212) 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 (7/2/2020) governing the Planned Residential Development (PRD) district.

**Continuation of Case:** On December 6, 2021, the Town Council voted 5-0 in favor of continuing “this conditional zoning CZ-PD-21-02 to a future date when staff has gathered the information with NCDOT sometime in 2022, and that staff update Council when they get some additional information that will be helpful in moving forward with this particular agenda item and that intersection” (meaning the intersection of White Oak and Bryan roads).



As of November 22, 2022, the Town has entered a Development Agreement with Pulte Home Company to widen White Oak Road and secured \$680,000 in funding from NCDOT for signal installation.

### **III. ZONING ANALYSIS**

**Existing:** Approximately 63.87 +/- acres of the project site is zoned **Single-Family Residential (R-40)**. This district was assigned as a holding zone until such time as water and sewer provisions for serving the area could be explored and incorporated into a development proposal for the Town's consideration. To that end, the district only allows some uses not dependent upon public water and sewer service as well as single-family lots of at least 40,000 square feet (0.91 acres), ensuring adequate space for individual wells and septic systems. Based on staff's study of similar zones exhibiting typical site characteristics, the site could accommodate approximately 48 40,000-square foot single-family lots with its current designation. While this site may require more than 30% set-aside due to the large floodplain area, general R-40 zoning also allows cluster design by right which would allow up to 51 units to be proposed on smaller lots.

***The following is a list of permitted uses in the R-40 District:***

- |  |  |
|--|--|
| 1. Single-family site built and modular homes                  | 13. Cemetery   |
| 2. Residential Cluster   | 14. Public parks, swimming pools, tennis, and golf courses |
| 3. Manufactured home   | 15. Religious institutions                                 |
| 4. Family Care home  | 16. Minor utility—elevated water tank                      |
| 5. Group care home   | 17. Solar farms  |
| 6. Intermediate care home                                      | 18. Telecommunications facility                            |
| 7. Community center  | 19. Other major utility                                    |
| 8. Lodges and fraternal clubs                                  | 20. Private golf course or country club                    |
| 9. Child day care up to 3 as home occupation                   | 21. Horse stables  |
| 10. Family child day care up to 8 in home                      | 22. Bed and breakfast                                      |
| 11. School, public or private                                  | 23. Agriculture or silvi-culture                           |
| 12. Public safety facilities (fire, police, rescue, ambulance) |  |

Approximately 8.68-acres of the project site is zoned **Single-Family Residential (R-12)**. The R-12 zoning district is primarily a residential district allowing single-family lots of at least 12,000 square feet (0.27 acres). The average subdivision devotes 30% of its space to streets, open space and environmental areas, implying that approximately 22 12,000-square foot lots could be designed on this acreage currently. General R-12 zoning also allows cluster design by right which would also allow the same 22 units to be proposed on smaller lots.

***The following is a list of permitted uses in the R-12 District:***

- |  |  |
|--|--|
| 1. Single-family detached                | 6. Group care home                             |
| 2. Residential cluster                   | 7. Intermediate care home                      |
| 3. Single-family residential subdivision | 8. Community center                            |
| 4. Modular home                          | 9. Child day care (up to 3 as home occupation) |
| 5. Family care home                      |  |

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>10. Family child day care (up to 8 in-home)</li> <li>11. School, public or private</li> <li>12. Ambulance service, police or fire station</li> <li>13. Cemetery</li> <li>14. Public park, swimming pool, tennis court, golf course</li> </ul> | <ul style="list-style-type: none"> <li>15. Religious institution</li> <li>16. Minor utility, elevated water storage tank</li> <li>17. Golf course or country club, private</li> <li>18. Bed and breakfast</li> </ul> |
|--|--|

**Proposed:** The proposed zoning district is **Planned Residential District (PRD C12) Conditional**. [If approved, this district will be designated as Residential 4 \(R4 C212\) Conditional under the current ordinance.](#) This floating zone was introduced as an option to encourage a mix of housing choices under a single project proposal with a dwelling unit density bonus up to 5.8 units/acre (7,500 square feet of land area per unit) available as an option in return for the provision of substantial landscaping, screening, and buffering beyond what would be required by traditional residential zoning districts. This zoning designation is only permissible for tracts of at least 15 contiguous acres. There are no generally permitted uses within planned districts. All uses are conditionally proposed.

Re-zoning to regular Single-Family R-12 zoning or a combination of R-12 and R-9 was mentioned during the Planning Commission meeting. Staff would note, that even under the more restrictive proposal of all Single-Family Residential (R-12) zoning, up to 181 dwelling units (2.5 units/acre) could be constructed on the site under the cluster subdivision option. As noted below, the applicant’s proposal limits the gross density slightly further to no more than 2.4 units/acre.

***The following conditions are proposed:***

1. Permitted use table:

Use Category	Specific Use	PRD C12
Household Living **	Single-family detached	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. The maximum density shall not exceed 2.4 dwelling units per acre.
3. A deviation in lot size and lot percentages per Section 6.12. A, single family lot sizes in PRD developments. This section requires sixty percent (60%) of all single family lots to be at least 12,000 s.f. and forty percent (40%) meeting a 9,000 s.f. lot size. A deviation allowing for 7,200 s.f. minimum single-family lot sizes is proposed.
4. A deviation in some of the building setbacks greater than 20% is requested for the lots from Section 6.12. A, Residential District Development Standards for a PRD development. Lot setbacks are detailed in table below:

	Single Family R-12 (UDO 6.1A)	Single Family R-9 (UDO 6.1A)	Single Family PRD Proposed for 9,000 s.f. and 12,000 s.f. lots	Single Family PRD Proposed for 7,200 s.f. lots
Front Yard	30'	25'	20' <i>33% / 20%</i>	20' <i>33% / 20%</i>
Rear Yard	20'	20'	20'	20'
Side Yard	6' min./ 15' combined	6' min./ 15' combined	6' min./ 15' combined	5' min./10' combined <i>33%</i>
Corner Lot Side Yard	20'	20'	15' <i>25%</i>	10' <i>50%</i>
Building Separation	N/A	N/A	N/A	N/A

Percentage reduction from UDO shown in italics.

5. Grading shall be allowed in the 25' perimeter setback. Any grading will be mitigated by planting the following: for every 100' of disturbance in the 25' setback, 2 canopy trees, 1 understory tree, 2 evergreen trees, and 14 shrubs shall be installed. Planting size at installation shall follow Sec. 7.1 of the Town of Garner UDO. The 25' perimeter setback shall be located where proposed lots back up to existing residential lots regardless of proposed lot size. The 25' perimeter setback shall not apply to 12,000 s.f. lots that back up to open space or other non-residential lots.
6. Lots that back up to existing homes located on the following roads shall include a 25' setback with additional landscape screening along the rear property line: Fox Trap Court, Twinberry Lane, Coffeeberry Court, Tallowwood Drive, and Capertree Lane. Additional landscape screening shall be located in the 25' setback. Landscape screening shall include a single solid row of evergreen trees. These trees shall be a minimum of 4' tall at installation. Evergreen trees can be planted singularly or in combination. No more than 6 of the same species shall be planted in a row.

One or more of the following evergreen trees shall be used:

- a) Ilex x 'Nellie Stevens', Nellie Stevens Holly
- b) Ilex x 'Emily Bruner', Emily Bruner Holly
- c) Morella cerifera, Wax Myrtle
- d) Magnolia stellata 'Little Gem', Little Gem Magnolia
- e) Cryptomeria japonica 'Yoshino', Japanese Cedar
- f) Thuja 'Green Giant', Green Giant Arborvitae
- g) Prunus laurocerasus, Cherry Laurel

If existing conditions do not allow for installation of the additional plant material (i.e. slopes steeper than 3:1), a 6' tall solid wood fence (finished side facing out) may be used in lieu of the evergreen hedge. These plants would be in addition to any required plantings.

7. Each house shall be constructed with Hardiplank, masonry (brick or stone), or wood shake. The front elevation and any elevation facing a public right-of-way shall have a minimum of 2 of the aforementioned materials. Side and rear elevations not facing a

- right-of-way are not required to have a minimum of 2 materials. A varied color palette of grey-tones and muted earth tones shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding, and shall include varied trim, shutter, and accent colors complementing the siding across the whole development.
8. Single family home types shall have a crawl space foundation. Slab foundations are prohibited.
  9. Foundation walls shall be clad with brick and/or stone veneer on all facades.
  10. Each house shall have a minimum 10" overhang eave or rakes from all facades.
  11. Each house shall have a minimum of 2,400 heated square feet.
  12. All homes shall have a 2-car garage. Garages may be front loaded or side loaded. Garage doors shall have windows, decorative details, or carriage-style adornments. All driveways shall be concrete.
  13. Each house shall have one of the following: deck, covered porch, sunroom, or a patio. Each of these shall be a minimum of 100 s.f.
  14. Each house shall have architectural asphalt shingles (meaning colored and patterned to give the appearance of dimension) and a minimum of one forward-facing gable. Metal roofs are prohibited except where used as an accent.
  15. At least 50% of the homes shall have a minimum of 100 square feet of brick and/or stone masonry on the front elevation.
  16. All side and rear elevations visible from a public right-of-way shall have a minimum of one window with shutters.
  17. Front facing windows not set in masonry trim shall have shutters, additional trim board, or other detail/feature.
  18. The height limitation for all houses shall be <math>45' / 3</math> story maximum.
  19. A min. 2,000 s.f. pool, min. 500 s.f. kids pool, and min. 2,000 heated s.f. clubhouse will be included with this development.
  20. A min. of 14% of tree save will be included with this development.
  21. A min. of 1,320 linear feet (0.25 miles) of Town of Garner Public Greenway shall be constructed as part of this development. Greenway shall be located in a 30' wide Town of Garner Greenway Easement.
  22. A min. of 6,600 linear feet (1.25 miles) of private greenway / 6' wide side path shall be constructed as part of this development.
  23. A sidewalk connection (approximately 40 linear feet) along Bryan Road from the southern corner of Mahlers Creek to the entrance to Everwood shall be constructed so long as either the land is donated or easement is provided to accommodate the additional sidewalk.

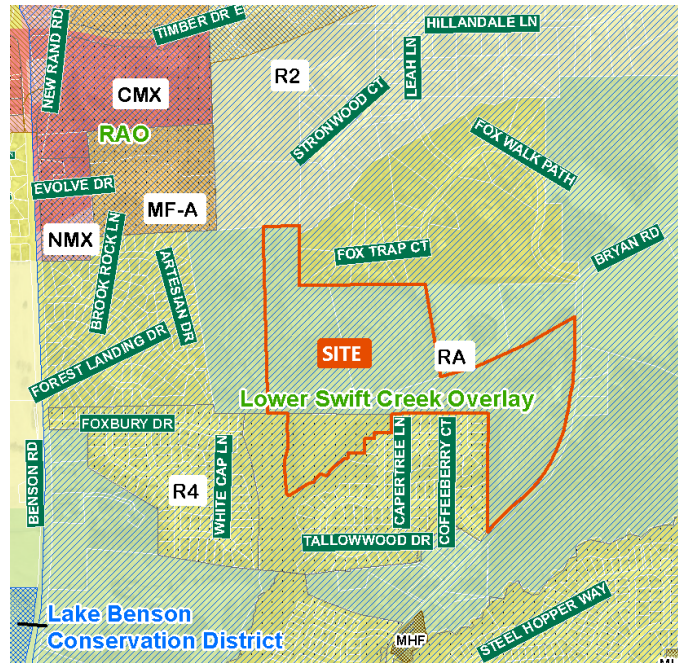
24. Developer will install a traffic calming device at the two proposed connections on Capertree Lane and Coffeeberry Court in Everwood Subdivision that is acceptable to the Town Engineering Department and other Town agencies as applicable.
25. The development is located in the White Oak/Bryan Corridor Impact Area as defined in the Development Agreement dated December 19, 2022, and recorded in the Wake County Registry at Book 19234 Pages 690 (the "Development Agreement"). Consistent with the terms of Article 6 of the Development Agreement, prior approval of the first final subdivision plat of any portion of the development the developer shall either (1) enter into a Cost Share Agreement with Pulte Home Company LLC or (2) make a Corridor Fee Payment to the Town.

**Overlays:** The site is located within the **Swift Creek Conservation Overlay District**, now the **Lower Swift Creek (LSC) Conservation Overlay District**. The overlay district provides regulations to protect water quality in this watershed by requiring limits on the amount of impervious surface areas permissible for new residential and non-residential development. Applicable to this request, the proposed development must comply with the following:

- New single family detached residential subdivision development projects shall be limited to a maximum of 30% total impervious surface area.

**Adjacent Zoning and Land Use:**

<b>North:</b>	R2, R4	Single-Family Residential
<b>South:</b>	R4	Single-Family Residential
<b>East:</b>	RA	Single-Family Residential, Undeveloped
<b>West:</b>	RA, R4	Open Space, Single-Family Residential





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

Case	Applicant	Location	Zoning Change
CUD-Z-04-01	South Park Development	Bryan Rd.	R-40 and R-12 to R-12 C123
PD-Z-04-01	KB Homes	Ackerman Rd.	RMH to PRD C1
CUD-Z-06-02	Piedmont Land Design	Ackerman Rd.	R-40 to R-12 C136
CUD-Z-06-08	Integrated Design PA	Ackerman Rd.	R-40 to R-12 C142
CUD-Z-06-10	RLA Development	New Bethel Church Rd.	R-40 to R-15 C144
CUD-Z-16-08	Hopper Communities	Clifford Rd.	R-40 to R-9 C188
PD-Z-17-01	DR Horton	Ackerman Rd.	R-12, R-40, RMH to PRD C5
CUD-Z-17-02	CE Group/Joe Faulkner	Bryan Rd.	R-40 to R-9 C195
CUD-Z-18-05	KB Homes	Clifford Rd.	R-20 to R-9 C204
CUD-Z-18-11	Bass, Nixon and Kennedy, Inc.	Grove at White Oak (previously Rhora subdivision)	R-40 to R-9 C210
CUD-Z-19-09	Signature Development Group/CE Group	Salt Hill Rd.	RMH and R-40 to MF-2 C222
CZ-MP-22-05	Ball Rentals	White Oak Rd.	R-40 and O&I to I-1 C262

**IV. COMMUNITY INFORMATION**

**Overall Neighborhood Character:** This area of the community along Bryan Road and north of Ackerman Road is evolving from large rural tracts to neighborhoods at more urban densities with public water and sewer. Below is a listing of area neighborhoods that the Town has permitted with access to public water and sewer. Staff felt it important to note these separately as a response to a potential question regarding what the Town’s role has been in the development of the area with public utilities (area is defined as the land between Timber Drive East and Ackerman Road, and between Mahler’s Creek and White Oak/Hebron Church roads).

- Everwood – 1.56 units per acre (16,000 s.f. lots avg)
- Bingham Station PRD (north of Ackerman Rd) – 2.98 units per acre (7,700 s.f. lots avg)
- Tunbridge – 1.84 units per acre (14,000 s.f. lots avg)
- Lynwood Estates – 2.4 units per acre (10,800 s.f. lots avg)
- Grove at White Oak – 2.21 units per acre (6,500 s.f. lots avg)

Separately, in its analysis to the Planning Commission, staff also acknowledged the presence of subdivisions approved under the Town or County’s jurisdiction with individual well and septic systems (due to the lack of access to public utilities) and their lower overall density as a justification for the applicant’s proposal not meeting the minimum of 2.5 units/acre as otherwise recommended in the Town’s Comprehensive Plan. Non-municipal individual well and septic subdivisions with lots of 1 to 4 acres in size include:

- Hillandale (0.81 units per acre)
- Fox Haven (0.68 units per acre)
- Hillandale Oaks (0.67 units per acre)

**Traffic:** The best historical growth of traffic available to staff is the NCDOT average daily traffic count program which shows an average annual growth rate of just over 10% between 2013 and 2019 (the last 6 counts are provided) along Bryan Road (between Fox Walk Path and Ackerman Road):

2011 – 850	2017 – Not reported
2013 – 910	2019 – 1,500
2015 – 1,300	2021 – 1,400

Between Fox Walk Path and White Oak Road, the counts are as follows:

2011 – 1,300	2017 – Not reported
2013 – 1,500	2019 – Not reported
2015 – 1,500	2021 – 1,600

A Traffic Impact Analysis (TIA) that focuses on peak hour impacts (the hours of greatest impact in both the morning and evening) was required by the Town’s UDO regulations. Based on the TIA findings, the following offsite road improvements will be required of this development:

- At White Oak Road and Timber Drive East, modify the signal timings to increase the cycle length for the AM peak hour and provide more green time for the northbound and southbound splits.
- Construct a southbound right-turn lane at White Oak Road and Bryan Road or pay a full fee-in-lieu of this improvement if needed easements and right-of-way are not able to be obtained following good-faith efforts with adjacent property owners. [This will be accomplished with the addition of a second southbound lane as part of the widening to be constructed by Pulte.](#)
- Construct Site Driveways #1 and #2 with one ingress lane and as a shared left/right turn lane.
- At Site Driveways #1 and #2, utilize the thoroughfare widening for Bryan Road to provide a left turn lane and right turn taper into the site.

Additionally, the applicant has agreed to pay a fee-in-lieu equal to 5% of the construction costs of future signal installation at White Oak Road and Bryan Road (proportional to their impact).

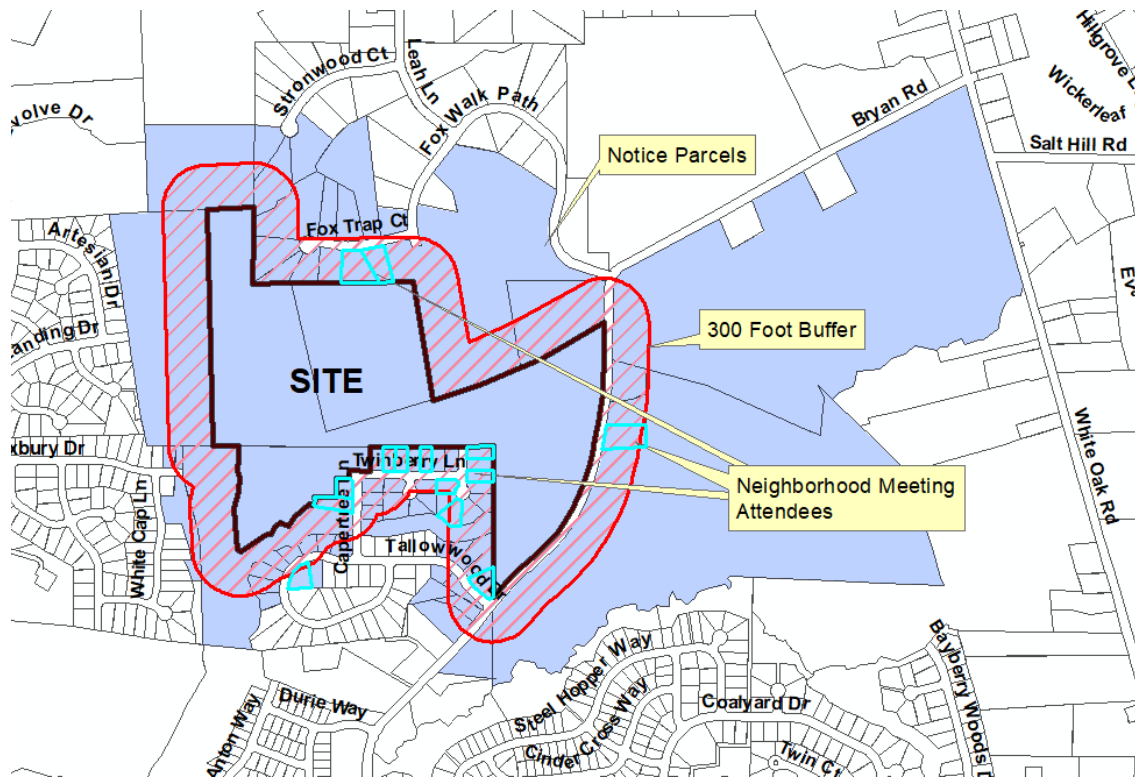
*Staff note: According to discussions with NCDOT, staff understands that a signal cannot be installed until White Oak Road is fully widened southbound/eastbound from Timber Drive East*

and through the intersection with Bryan Road due to queue length that would be created at the new light.

The above improvements would be in addition to the widening along Bryan Road to the ultimate three-lane cross-section that is required by the Unified Development Ordinance in accordance with the Town’s adopted transportation plan.

**Neighborhood Meeting:** Staff identified 71 unique property owners within the notification radius and provided the list below to the applicant for first class mailed notices. Notices included the Everwood HOA.

There were two neighborhood meetings, one remotely on May 23, 2021, and another in-person on June 9, 2021. Approximately 18 adjoining owners participated in one or both sessions. Three were outside of the notice area and are not listed below. Those in attendance are highlighted in the table below.



OWNER1	ADDR1	ADDR2
ADAMS, BILLY R TRUSTEE ADAMS, SUE R TRUSTEE	7670 BRYAN RD	GARNER NC 27529-9137
ADAMS, PATTY	103 TWINBERRY LN	GARNER NC 27529-5938
AMICK, MICHAEL	208 FOX TRAP CT	GARNER NC 27529-8285
ANTHONY, KEVIN S ANTHONY, CHRISTINA G	101 CAPERTREE LN	GARNER NC 27529-5935
ASBERRY, MAUREEN	124 TALLOWWOOD DR	GARNER NC 27529-5922
BARROW, FRANKLIN D JR BARROW, MICHELLE	216 FOX TRAP CT	GARNER NC 27529-8285
BATES, JOSEPH	136 TWINBERRY LN	GARNER NC 27529-5937
BENNETT, ADAM RADFORD-DAVENPORT, JULIE	124 COFFEEBERRY CT	GARNER NC 27529-5934
BESSER, ANDREW W BESSER, JESSICA G	7757 BRYAN RD	GARNER NC 27529-9139

OWNER1	ADDR1	ADDR2
BLACKMAN, MARK WAYNE BLACKMAN, TINA TILLEY	7750 BRYAN RD	GARNER NC 27529-9589
BOYKIN, GARY D BOYKIN, NAOMI W	116 CAPERTREE LN	GARNER NC 27529-5935
BRYAN ROAD RESIDENTIAL LLC	CORE PROPERTIES INC	831 E MOREHEAD ST STE 445
CHIDSEY, MICHAEL CHIDSEY, ERIN	101 COFFEEBERRY CT	GARNER NC 27529-5934
COHRS, HARLAN JOHN COHRS, VALERIE J	124 CAPERTREE LN	GARNER NC 27529-5935
CROMITY, KELVIN TERRELL TRUSTEE CROMITY, JACQUELINE DENISE TRUSTEE	108 TALLOWWOOD DR	GARNER NC 27529-5922
DEAN, JAMES CORNELL DEAN, FATIMA NEDAB	100 COFFEEBERRY CT	GARNER NC 27529-5934
DENNING, ALEXANDER	116 THISTLETREE CT	GARNER NC 27529-5939
DUFF, TERRENCE J DUFF, DONNA L	504 STRONWOOD CT	GARNER NC 27529-8238
DYKE, JOHN WESLEY IV DYKE, NICOLE BROOKS	109 THISTLETREE CT	GARNER NC 27529-5940
EAST, JACOB A EAST, BRENDA D	121 CAPERTREE LN	GARNER NC 27529-5935
EVERWOOD PROPERTY OWNERS ASSOCIATIONS INC	3160 NC HIGHWAY 42 W	CLAYTON NC 27520-8360
FAISON, JAMES E FAISON, LATESSA J	109 TWINBERRY LN	GARNER NC 27529-5938
FAISON, PATRICK JOHN FAISON, JENNIFER K	108 FOX TRAP CT	GARNER NC 27529-8284
FERGUSON, JUSTIN GORE, MONTANNA BLAIR	240 TALLOWWOOD DR	GARNER NC 27529-5926
FRANKLIN, DAVID C FRANKLIN, DORI	108 THISTLETREE CT	GARNER NC 27529-5939
FREY, KAHLINA PAYTON, TRISTAN	224 TALLOWWOOD DR	GARNER NC 27529-5926
FUCHS, SIEGFRIED H FUCHS, TONYA L	109 COFFEEBERRY CT	GARNER NC 27529-5934
GARRETT, WALTER MARSHALL GARRETT, EMILY GOOSTREY	135 COFFEEBERRY CT	GARNER NC 27529-5934
GERNHARD, NIKOLAS GERNHARD, SANDRA	106 TWINBERRY LN	GARNER NC 27529-5937
GROSSI, CASARE GROSSI, SHERRY L	132 TALLOWWOOD DR	GARNER NC 27529-5922
HALEEM, STEPHANIE J BAKER, NEIL E	500 STRONWOOD CT	GARNER NC 27529-8238
HALL, STEVEN H HALL, MONICA N	217 FOX TRAP CT	GARNER NC 27529-8286
HARGROVE, CLIFF HARGROVE, SHERRY	127 TWINBERRY LN	GARNER NC 27529-5938
HATCH, DANIEL A HATCH, JULIANNA C	127 TALLOWWOOD DR	GARNER NC 27529-5924
HAWKINS, JAMES EDWARD HAWKINS, ROSALIA MARIA SOTEL	140 COFFEEBERRY CT	GARNER NC 27529-5934
HINDMAN, TIMOTHY PAUL	124 TWINBERRY LN	GARNER NC 27529-5937
HINTON, SHERRI HINTON, TIMOTHY	139 TWINBERRY LN	GARNER NC 27529-5938
HOGGARD, WILLIAM B HOGGARD, DEITRA M	256 TALLOWWOOD DR	GARNER NC 27529-5926
ILLIG, MINDI ILLIG, MICHAEL	132 COFFEEBERRY CT	GARNER NC 27529-5934
JACKSON, SHARON	208 TALLOWWOOD DR	GARNER NC 27529-5926
KHAN, MONIS MASOOD KHAN, TARA BECK	405 FOXBURY DR	GARNER NC 27529-3971
KIEFT, SHAWN K KIEFT, CRYSTAL W	121 FOX TRAP CT	GARNER NC 27529-8287
LENTZ, MICHAEL D LENTZ, SANDRA BAIZA	117 THISTLETREE CT	GARNER NC 27529-5940
LONG, TERRI A BRANTLEY, LARRY	215 TALLOWWOOD DR	GARNER NC 27529-5928
LYDA, SHELTON LYDA, AMY	216 TALLOWWOOD DR	GARNER NC 27529-5926
MASON, KIMBERLY MCMURRAY, SCOTT	131 CAPERTREE LN	GARNER NC 27529-5935
MCINTYRE, JULIAN MCRAE MCINTYRE, JENNIFER HORTON	213 FOX TRAP CT	GARNER NC 27529-8286
PARRISH, RICHARD K PARRISH, GLORIA W	8000 BRYAN RD	GARNER NC 27529-9143
PHILBECK, BRIAN C PHILBECK, DIALIS CAROLINA IBARR	116 COFFEEBERRY CT	GARNER NC 27529-5934
POOLE, CHRISTOPHER BLAIR MILLER, MICHELE	116 TALLOWWOOD DR	GARNER NC 27529-5922
POPE, JAMES M POPE, ELIZABETH S	501 STRONWOOD CT	GARNER NC 27529-8238
SAMPSON, CHARLENE TRUSTEE THE CHARLENE SAMPSON LIVING TRUST	100 TALLOWWOOD DR	GARNER NC 27529-5922
SEEM, STEPHEN JOSEPH SEEM, TARA LYNN	130 TWINBERRY LN	GARNER NC 27529-5937
SHAFFER, JONATHAN DAVID TRUSTEE SHAFFER, KAREN CELESTE TRUSTEE	118 TWINBERRY LN	GARNER NC 27529-5937
SIMS, THOMAS WINGATE SIMS, ANGELA O	115 FOX TRAP CT	GARNER NC 27529-8287
SIMS, TIMOTHY D SIMS, MICHELLE F	114 FOX TRAP CT	GARNER NC 27529-8284
SNEAD, CAROL B YEARGAN, SHERMAN A JR	7521 BRYAN RD	GARNER NC 27529-9136
SOUTH CREEK HOMEOWNERS ASSOC INC	5160 NC HIGHWAY 42 W	GARNER NC 27529-8417
SOUTH PARK DEVELOPMENT CO INC	5160 NC HIGHWAY 42 W	GARNER NC 27529-8417

OWNER1	ADDR1	ADDR2
THOMAS, ROGER D THOMAS, SANDRA M	112 TWINBERRY LN	GARNER NC 27529-5937
TORRES, NORALVA CHEMALI, MICHAEL GEORGE	248 TALLOWWOOD DR	GARNER NC 27529-5926
UKATA, CHUKWUMA	108 COFFEEBERRY CT	GARNER NC 27529-5934
WALL, BETTY P WALL, CHARLES W	7950 BRYAN RD	GARNER NC 27529-9100
WEST, GARRICK L WEST, ANNE PAIGE WARRE	231 TALLOWWOOD DR	GARNER NC 27529-5928
WHITE, KYLE A WHITE, AMY B	PO BOX 886	GARNER NC 27529-0886
WIELAND, JOHN G WIELAND, CINDY L	7761 BRYAN RD	GARNER NC 27529-9139
WOOD, BENJAMIN H WOOD, SALLYANN A	209 FOX TRAP CT	GARNER NC 27529-8286
WOODS, TORRENCE C WOODS, CHAUNESSA F	232 TALLOWWOOD DR	GARNER NC 27529-5926
YEARGAN, SHERMAN A JR TRUSTEE YEARGAN FOUNDATION CHARITABLE TRUST	7777 WHITE OAK RD	GARNER NC 27529-8808
YOUNG, MARTY S YOUNG, AMY R	109 FOX TRAP CT	GARNER NC 27529-8287

### ***Virtual Meeting Summary***

#### ***1. Why is this project connecting to the Everwood neighborhood?***

**Response:** The connections are required by the Town for connectivity and cross access as well as helping to aid first responders. The stubs that are part of the Everwood neighborhood were included as that neighborhood was built for future connection to the north when those lots were developed.

#### ***2. There will be increased traffic as a result to the connection points to Everwood, especially with people driving through our neighborhood.***

**Response:** We have three entrances to our neighborhood and Mahlers Creek traffic will likely use those. This doesn't mean that cars from our neighborhood can't or won't drive through Everwood (because those connections are required as noted above) but it will likely be quicker for someone to use the three provided entrances than to drive through Everwood.

#### ***3. Removal of trees between our project and Everwood - what is the width of the buffer between the two developments?***

**Response:** We have a 25' buffer between our lots and the Everwood lots. Because of the Town of Garner requirements for tree save we need to keep our tree protection fence 10' off of any tree save area. Technically the tree save area will be 15' wide per the Town requirements but the intent is to save trees in the entire 25'. Also note that because we have our largest lots, which are similar in size to the Everwood lots, adjacent to each other that the 25' setback is technically not required per the UDO. We decided to keep the 25' setback, with the saved trees, to create screening between Mahlers Creek and Everwood that otherwise may not have been there.

#### ***4. Flooding issues – how will development impact the existing flooding issues with the lots on Twinberry Lane that back up to our proposed development.***

**Response:** We cannot make any flooding issues worse as part of our development. We have three stormwater ponds included to treat and hold stormwater runoff as a result of this development. That being said we can look at adding a swale along the back of the Mahlers Creek lots to help contain and move water away from the Everwood lots that currently experience flooding.

**5. Can residents of Everwood use the amenities in Mahler's Creek?**

**Response:** The Developer is open to discuss this with the Everwood neighborhood. There would likely have to be an agreement between the two neighborhoods for maintenance and liability.

**6. Number of lots/cost of homes/type of homes (SFD, townhomes, etc.)**

**Response:** We are committing to a maximum of 170 lots. This is a large decrease from the originally designed 255 lots. We decided to make the lots adjacent to Everwood and Fox Haven the largest lot size we are showing, 12,000 s.f. This was done to keep like-size lots adjacent to each other. The homes prices will likely start at \$500,000.00.

**7. How will this affect property values?**

**Response:** This will likely increase property value of the adjacent homes.

**8. Start date of construction and duration of construction?**

**Response:** With all our approvals we are looking at roughly 1-1.5 years before construction permits are in hand. After those 1-2 years estimated for neighborhood build out.

**9. Road improvement? (both along frontage and off-site) Stop light at Bryan Road and White Oak Road?**

**Response:** We are required to provide ½ of a 74' wide road section per the Town of Garner. This includes pavement widening, right of way dedication, and sidewalk. No off-site roadway improvements are planned at this time. NCDOT looked at our project before the pandemic started but they have not looked at it in detail since then. When we submit our subdivision for review, we will reengage NCDOT to see if any additional improvements will be required.

**10. Will the two southern entrances negatively impact entrance to Everwood? Is the southernmost proposed entrance too close?**

**Responses:** We do not believe the two southern entrances to our development will negatively impact the entrance to Everwood. The southern entrance to our development is roughly 390' centerline to centerline. If NCDOT determines that distance is too close, we will shift as necessary.

**11. What measures are being taken to protect creek area? Create play areas along the creek?**

**Response:** We have state regulated stream buffers, with a width of 50' taken from the top of the bank on each side of the stream, where we have streams classified as intermittent or perennial. These are the stream classifications requiring a stream buffer. Ditches and swales that haven't been classified as a stream per the State will not have buffers on them. We do not have plans to create play areas along the creek as this causes extra disturbance of environmentally sensitive areas and could be a liability to the development.

**12. What building materials are you using?**

**Response:** We are using hardiplank, stone, and brick – or a combination of those. Vinyl siding will not be permitted.

**13. What happens if the zoning doesn't get approved?**

**Response:** This property is in an area of Garner for which there is high demand for upscale residential development. Due to market demands for developments with a blend of lots sizes (plus higher land and infrastructure costs) developers have been implementing the Planned Residential Development (PRD) zoning classification. If the proposed PRD zoning is not approved, it is highly likely another developer would again petition to rezone the property to PRD or to a more densely zoned classification.

**14. Will our comments from this meeting be submitted as part of public record?**

**Response:** Yes, this will get submitted to Town staff.

***In-Person Meeting Summary***

**1. The first issue that was discussed was the drainage issue with the lots on Twinberry Lane that back up to our proposed development.** Paul Hindman, who submitted photos (attached) was vocal about the drainage issues he and his neighbors have in their yard. He noted that he has had drainage issues for the last 13 years (as long as he lived in the neighborhood). Patty Adams, who also lives on Twinberry Lane, noted issues with flooding. Paul mentioned selective thinning of trees on our development that happened 4 +/- years ago have made the issue worse. It was also noted that the developer who developed Everwood did not address drainage issues properly.

**Response:** It was noted that we cannot make any existing flooding issues worse with our development. Right now, the drainage area to the back of those lots is roughly 4.75 acres and with our development (and associated grading) the drainage area will go down to roughly 1.75 acres. We are also going to look at adding a swale or other measures along the back of our Mahlers Creek lots to further alleviate any drainage issues that exist from our property. It was also noted that it sounds like those lots in Everwood may have not been graded properly and we can't go in and fix their lots – but we can do additional measures on our site to try and control any drainage issues. A resident mentioned a stream that runs through an area we are showing lots and it was noted that we had a stream determination done and the area in question is not a buffered stream.

**2. Several Everwood residents said they did not want our development to connect to the roads in their subdivision – noting added traffic on their streets being a concern.**

**Response:** The connections are a requirement of the Town for connectivity and first responders. We understand the concern with added traffic, but Everwood was design to eventually connect through to the north when that lot was developed – which is why there are stub streets in Everwood. We told neighbors that if they really wanted to push back on this they would need to reach out to the Town to see if one or both connections could be eliminated but we can't remove them from our plans because of the requirement for them to be there.

**3. A resident noted that first responder times in this area of Garner are poor.**

**4. Residents wanted to know about road improvements – both along our frontage and off-site – as well as if we were connecting to Hwy 50. Are we planning on adding any stop lights as part of our improvements?**

**Response:** Along our frontage we are required to provide ½ of a 74' wide right of way with associated pavement addition and sidewalks. Turn lanes into our site will likely be needed. We need to have NCDOT, since Bryan Road is a State Road, give us feedback on what other improvements we will need to make. There are no plans for added stop lights at this time. We will likely have some offsite improvements, but we do not know what those look like at this time. We are not connecting to Hwy 50.

**5. A resident in Everwood asked why some of the smallest lots (7,200 s.f.) on the east side of the project were not the larger 12,000 s.f. lots since they are adjacent to Everwood?**

**Response:** It was noted that the open space and stream buffer provided added buffer and those lots are further from the boundary of the development, so we decided to leave them as the smallest lot size.

**6. A resident of Fox Haven whose lot backs up to our development noted the Mahlers Creek lots behind his house are not 12,000 s.f. and asked if we could revise from 9,000 s.f. to 12,000 s.f.**

**Response:** We told him we could make this revision.

**7. Residents wanted clarification on the trails – specifically what is private and what is public.**

**Response:** It was noted that there will be a public greenway trail on the west side of our development with a public trail connection to Mahlers Creek. The remaining trails will be private trails. We also noted the 6' wide side paths that will help to create loops within Mahlers Creek. We told neighbors the public greenway trail is on the Town of Garner greenways map so we have to include that trail as public as part of our development.

**8. Residents inquired about type of homes – foundation, materials, size.**

**Response:** We told them slab on grade foundations were prohibited and the foundations would be crawl space. The homes will be a minimum of 2,400 heated s.f. and materials will be hardiplank, masonry (stone or brick), shake, or a combination thereof. Vinyl siding will be prohibited but vinyl details, such as windows, would be permitted.

**9. Residents asked about utilities -specifically if natural gas would be included and if so would Everwood be able to access it?**

**Response:** It was noted the utilities would be Raleigh water and sewer. Any land in our development that is currently in the county would be annexed to allow for the connection to Raleigh utilities. We noted that we were unsure about where PSNC was located in the area but if we did include it as part of our development, which would be preferable, we would look into extending to Everwood for possible future connection.



**10. Residents asked if the homes would be for rent or for sale.**

**Response:** Homes will be for sale. This will not be a rental neighborhood.

**11. Residents wanted to know if the homes would be custom homes.**

**Response:** Right now, the developer is talking to track builders and custom builders to gauge interest for who might build homes in Mahlers Creek so at this time we are not sure which direction this would go. If the homes are not custom, there would be roughly 5 different home styles to choose from with the ability to customize finishes in the home.

**12. Resident asked about our HOA guidelines.**

**Response:** Right now, the HOA documents are being drafted so nothing is final but they will mimic the HOA documents for Everwood with additional things added. Residents of Everwood would not be required to join our HOA if an agreement is worked out where Everwood residents could use amenities in Mahlers Creek. Our project would not increase Everwood HOA fees.

**13. A resident asked what properties were included in the rezoning?**

**Response:** Only the Mahler's Creek properties are included in our request. We are not rezoning or annexing any lots that are not a part of our development.

**14. A couple Everwood residents asked about added sidewalk to Everwood –could we add a small sidewalk connection at the southern corner of our development along Bryan Road to the existing sidewalk in Everwood?**

**Response:** The developer is open to possibility of adding a small section of sidewalk to complete this sidewalk connection and eliminating the sidewalk gap.

**15. A resident noted he did not think the 25' perimeter setback, where we are planning on retaining existing vegetation, is wide enough of an area to ensure the trees would be able to withstand winds that could possibly knock them down.**

**Response:** We think the 25' width is adequate.

**16. A neighbor noted this development would decrease the value of his home.**

**Response:** It was noted that our development would not decrease the value of his property and if anything it would likely increase it.

**17. A neighbor asked about what types of homes we were planning for – single family vs, multi-family.**

**Response:** It was noted all the homes in this neighborhood would be single family detached. No townhomes or apartments are part of the Mahlers Creek development.

**Public Hearing Summary:** The Town Council conducted a public hearing at their meeting on Tuesday, August 17, 2021.

- Staff presented the case and gave an overview of the rezoning request.
- Pam Porter, with TMTLA and also representing the applicant, gave an overview of the project.

- Council members asked if the lots backing up to Fox Haven and Everwood would be the same size as the adjoining lot. Ms. Porter said most of the lots that were adjacent would be the larger lot size and noted proposed lot sizes were minimums.
- Council members noted that a PRD allowed for 12,000 sf lots to not have the 25-foot perimeter setback. The applicant noted that most of the development had the perimeter setback regardless of lot size. There were concerns about grading into the setback. Ms. Porter noted anything they have to grade into would be replaced and there was a buffer example in the PRD book.
- Ms. Porter said the developer agreed to adding small section of sidewalk to connect Everwood along Bryan Road.
- Ms. Porter said condition 7 called for additional landscaping within the 25 -foot setback along the Everwood subdivision and that if slopes are too steep then there would be a fence.
- Council members noted there was concern from the public about flooding on Twinberry Lane. The applicant's engineer, Carlton Burton, said there is an existing stream and that about 4 acres flowed to those drainage features and that where roadway was extended the runoff would go into the storm sewer. He said this would reduce the area draining toward Twinberry from 4 acres to under 1 acre. Council members asked about adding a swale. Ms. Porter said they had not studied that yet. Mr. Burton said there was already such a significant reduction that he didn't know if a swale would add any benefit to the situation and he didn't see the need for it but as they got into design, if they saw a need for it then they would certainly do it.
- Clifford Kendall, 156 Tallowood Drive in Everwood subdivision, said his greatest concern was with transportation and this development would be putting more traffic on Bryan Road. He said he understood why the Capertree Lane connection was required but thinks it will substantially reduce quality of life in neighborhood and that he and his wife bought in there because it was one way in one way out.
- Michael Collins, 270 Pecan Harvest Drive, said he was concerned with all the small lots that had been approved and wanted to see minimum 15,000 square foot lots.
- Bruce Gentry, 157 Tallowood Drive, shared concerns about traffic along Bryan Road and White Oak and increasing traffic through his neighborhood. He was concerned that every developer was asking for a deviation from the UDO.
- Mr. Kendall asked if it was within purview of council to waive the connections to Everwood. The Planning Director said the UDO required the connections and that 85% of the traffic is going toward White Oak so it was unlikely Mahler's Creek traffic would be going through Everwood. Mr. Triezenberg said a variance from the UDO would go to Board of Adjustment.
- A council member asked if increased density was reason for second access. The Planning Director Jeff said no because smaller lots were up front so the second access point would still need to be installed.

- Roger Thomas, 112 Twinberry Lane, said he was opposed the connections to Everwood. He asked if this would require northbound turn lane into Everwood and if a traffic signal was warranted. He said he was also concerned with the entrances being on inside of curves and said he would like the southernmost entrance restricted to right-in, right-out. He said he would like to see no grading on the back side of Twinberry and that he would still like to see swale.
- Nick Gernhard, 106 Twinberry, expressed concern about traffic and the wait times to turn left.
- Marshall Garrett, 135 Coffeeberry, said first responders would have to go further to get to this project. The Planning Director said the purpose of having two entrances is in case the first one was blocked, the second one could be used.
- Daniel Hatch, 127 Tallowwood, expressed traffic concerns and concerns about how fast developments are going up.
- The Planning Director explain that with the backups on White Oak Road, if a light was put in the backup would be over 2,000 feet. He said that the key was to get two southbound lanes and showed a portion of the road that needed to be widened to help clear the way for the light. A council member said that section was about 750 feet and sounded like a perfect project for bond money for upcoming bond.
- A council member said that in relation to PRDs in general, that the required different housing types did not different lot sizes. He said the purpose of the PRD was to preserve natural landscapes, etc. and not just to pack density in.
- Lyle Overcash, the applicant's traffic engineer from Kimley Horn spoke and said there was congestion at White Oak and Bryan and that there had been about five accidents there in last three years and that only one of those could have been helped by signal. He said the development is contributing about 5% of the traffic at this intersection. He said looking at traffic patterns, he felt there would be a trade-off, but the vast majority of the traffic would be heading left. He said the southernmost driveway was a right-in, right-out and the other two driveways would have dedicated left turns and right tapers. He said a left turn lane into Everwood would not be warranted.
- Connie Gentry, 157 Tallowwood, said she didn't think the traffic counts were accurate because they were done during summer when school was out.
- A council member said the town's long-range plan was to take Ackerman to 50 which would be a huge pressure relief valve.
- The Mayor closed the public hearing.

## V. MASTER PLAN PROJECT DATA

**Acreage:** 72.2 +/- acres

**Units and Lot Information:** 170 units total

### Product A – 55-65 Units

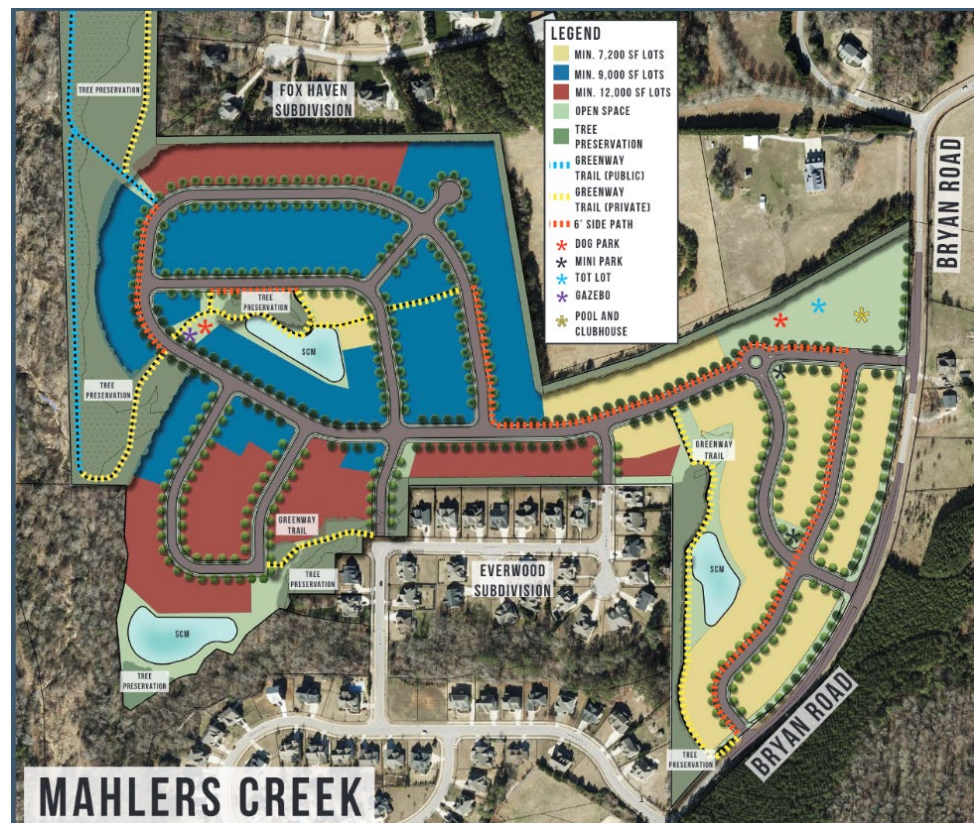
- 50' minimum lot width
- Lots are minimum 7,200 square feet
- Setbacks – 20' front; 20' rear; 5' side; 10' corner

### Product B – 70-80 Units

- 60' minimum lot width
- Lots are minimum 9,000 square feet
- Setbacks – 20' front; 20' rear; 5' side; 10' corner

### Product C – 30-40 units

- 70' minimum lot width
- Lots are minimum 12,000 square feet
- Setbacks – 20' front; 20' rear; 5' side; 10' corner
- *Note: primarily adjacent to residential lots in the existing Everwood and Fox Haven subdivisions - both zoned R-12.*



**Landscape and Buffer Requirements:**

- **Tree Cover:** Proposal is to preserve 14% or 10.1 acres, meeting the requirement of 12% tree coverage. (*Note: Sliding scale of 12-14% in effect at the time of submittal.*)
- **Perimeter Buffers:** There is a 25' perimeter setback around the project where existing vegetation will be retained to the maximum extent possible as required for PRDs. It does not appear any perimeter buffers will be required; however, that requirement will be confirmed during the preliminary subdivision review. Perimeter setback is not required where the 12,000 square foot lots abut Everwood subdivision; however, the applicant is proposing to keep the 25-foot setback in this location.
- **Street Buffers:** Not required.
- **Street Trees:** Must be provided approximately every 40 feet along all roadways.

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

- Required: 25% (18.06 acres)
- Proposed: 27.6% (19.95 acres)

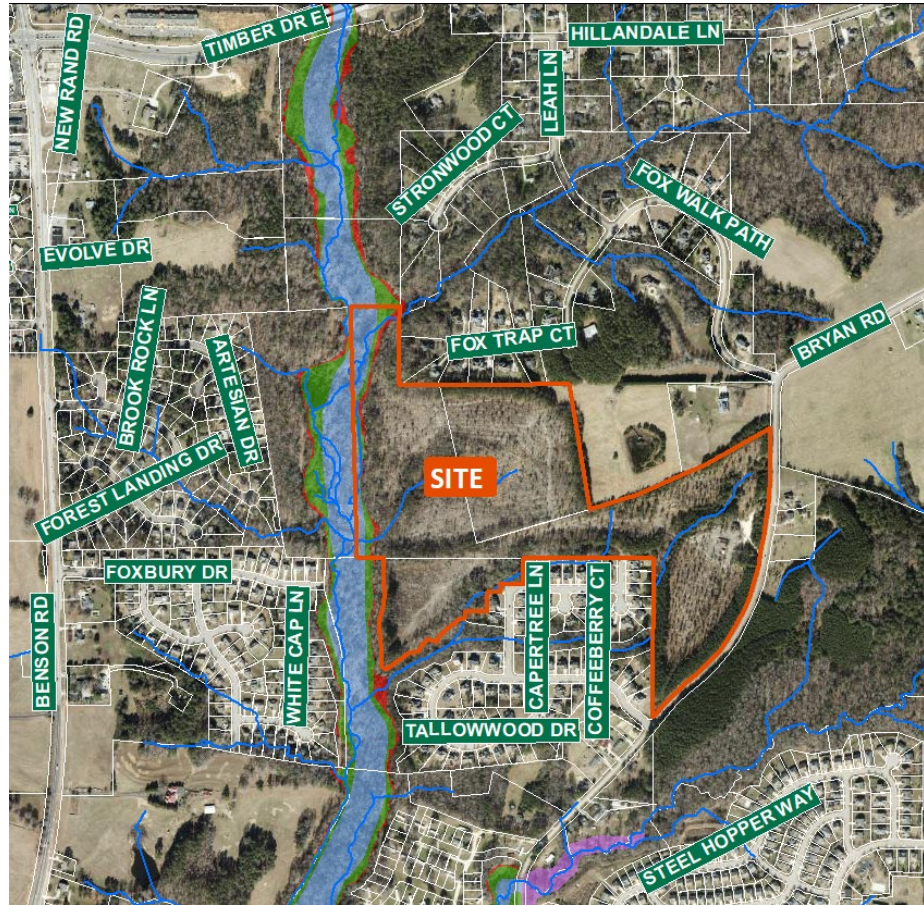
Open space area will be made up of environmentally sensitive areas, active recreation areas, and passive recreation areas. Amenities will include a pool, clubhouse, dog parks, tot lot, picnic area, and mini parks.

There is also a pedestrian circulation system incorporating sidewalks and trails as required for a PRD.

All open space to be owned and maintained by the homeowner's association for the subdivision.

**Environmental Features:**

There is FEMA designated floodplain on the site and the site is impacted by riparian buffers. These are shown on the master plan.



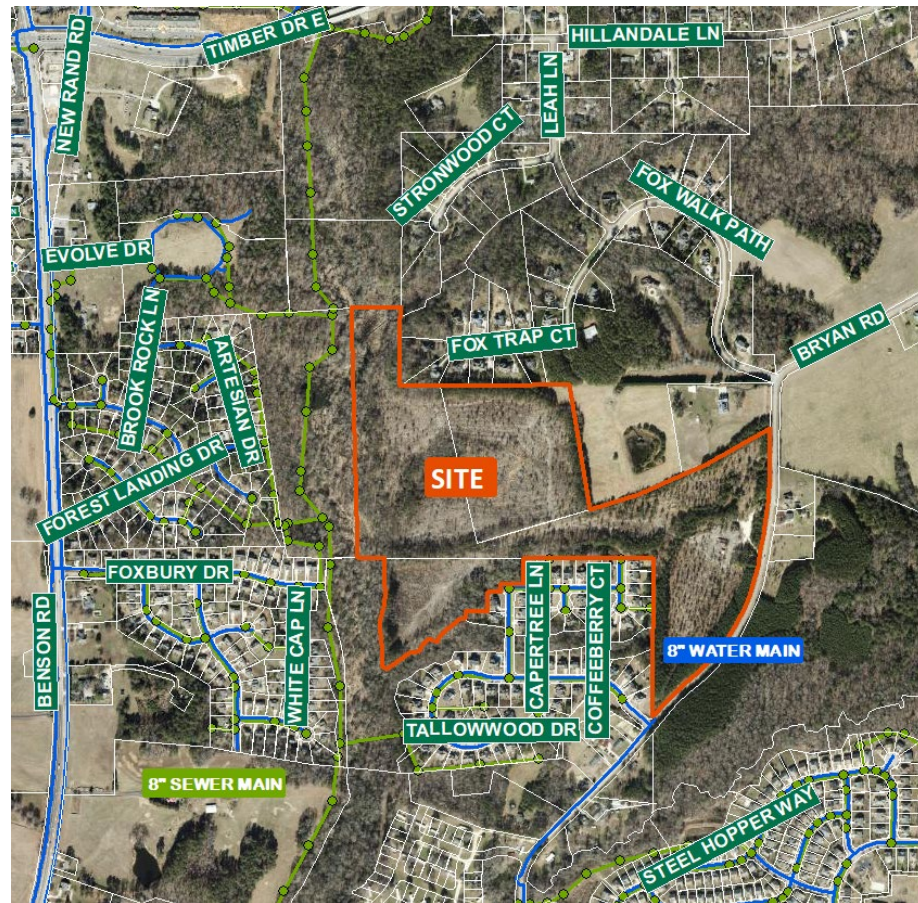
**Fire Protection:** The Inspections Department has reviewed and given their approval.

**Lighting:** Street lighting and lighting for common parking areas will be reviewed during the subsequent preliminary plats and/or site plans for approval.

**Infrastructure:** **Stormwater Management** – This site is required to provide detention for the 1-, 10-, and 25-year storms and provide nitrogen export control. Three areas have been set aside for stormwater control measures in the master plan. Stormwater management plans will be reviewed more in depth at both the preliminary plat and construction drawing submittals. This site is also within the Swift Creek Conservation Overlay District and is restricted to a maximum 30% impervious coverage for single family development.

**Water/Sewer** – The site will be served by City of Raleigh water and sewer infrastructure. Details of how lines will be extended will be worked out

with the City of Raleigh during the preliminary plan and construction drawing submittals.



**Transportation/Access** – The master plan shows three ingress/egress points along Bryan Road. There are also stub roads to Coffeeberry Court and Capertree Lane to the south. The stub to Capertree Lane is required to maintain two (2) points of access to an area with more than 75 residences. Bryan Road will be improved to half of its ultimate section, which is a Town of Garner major collector. This is a three-lane section with bike lanes, curb, gutter, and sidewalk.

Details of road improvements and design will be reviewed at both the preliminary plat and construction drawing submittals.

## **VI. CONSISTENCY OF REQUEST**

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 shall review consistency with the following plans:

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

**Relevant Land Use Plan Analysis:**

**2018 Garner Forward Plan – *INCONSISTENT*:**

The site of the request is designated as **Medium-Density Residential (MDR)**. The predominant designation in this area is also MDR. The MDR land use category includes single-family, duplex, triplex, quadplex, and townhome-style residences with no less than two and a half (2.5) nor more than five (5) units per acre. Medium-Density Residential structures may also include auxiliary units detached from the primary house. The MDR district encourages context sensitive residential uses that preserve and enhance the culture of adjacent residential communities.

The proposed project will have up to 170 single-family units at a density of 2.4 units per acre which is only slightly lower than what is recommended. The proposed use of single-family is consistent with the recommended use of the MDR – just at a slightly lower density.





**2010/18 Garner Transportation Plan – CONSISTENT:**

The Transportation Plans recommends Bryan Road as a 3-lane facility; there is a recommendation for paved shoulder bicycle facility and sidewalk along Bryan Road; there are no transit recommendations that apply to this site. With the proposed improvement of half of the Town's Major Collector, which is a 3-lane section with bike lanes and sidewalk, along the frontage of the project these plans may be considered consistent with Garner's Transportation Plans.

**Parks, Recreation, Greenways and Cultural Resources Master Plan – CONSISTENT:**

The site is not designated as a park land search area; however, the plan does recommend a greenway path along the west side of this project. The proposed project includes a public greenway on the west side, with a trail connection to the internal trails; as such, staff finds this project consistent with the Parks, Recreation, Greenways and Cultural Resources Master Plan.

**Planning Commission Summary:** The Planning Commission reviewed this request at their meeting on September 13, 2021.

- Staff presented the case and gave an overview of the rezoning request.
- Pam Porter, RLA; TMTLA Associates, gave a presentation and overview of the project on behalf of the applicant.
- Chairman Blasco asked about setback deviations especially the 20-foot front setback and length of cars and trucks. Ms. Porter acknowledged the concern and staff later noted that the UDO regulation of driveway lengths would still apply.
- Mr. Blasco asked about storage of trash containers and screening of those containers. Ms. Porter suggested incorporating something into the covenants giving the option of indoor storage or outdoor screened storage.
- Mr. Blasco asked if some shrubs could be added to the replanting plan for perimeter setback areas and noted he would like to see a couple of different species of trees offered there. Ms. Porter agreed.
- Mr. Blasco asked about the condition that said all elevations visible from the right-of-way would have at least one operable window. Ms. Porter said that was a minimum but would likely have more than that given the size and price point of the home. Mr. Triezenberg added that the Town does consider the sides of homes visible from the fronting streets.
- Mr. Blasco asked about the difference between a 6-foot side path and a 5-foot sidewalk. Ms. Porter said they had conferred with staff and noted that having the wider side path would designate the walking loops required for connecting open spaces throughout the development.

- Mr. Blasco asked about the blue line stream going behind Twinberry and noted that the Corps of Engineers said it was a non-jurisdictional stream. Ms. Porter noted they met with a neighbor who said he had flooding concerns along this blue line since he bought his house 13 years ago and were working to address what they can.
- Mr. Blasco asked if there was an option other than speed bumps for the street connections into Everwood. Ms. Porter noted they were open to other devices as the Town would allow during subsequent subdivision review.
- Although proposed density is already below the comprehensive plan recommendation, Mr. Blasco asked about the impacts of lowering it further. Ms. Porter noted that the plans had already been reduced from 270 to 170 units and that the density was thoughtfully distributed given the existing neighbors. Mr. Blasco suggested shrinking the 7,200 square foot lots and increasing the buffer. Ms. Porter said she did not think that was going to make neighbors happy who already didn't like 7,200 square foot lots. Ms. Porter also noted that the 25-foot perimeter buffer between their 12,000 square foot lots and Everwood was another extra condition being offered.
- Mr. Jefferson noted that if the lot sizes increased, the density would decrease and therefore be even lower than the future land use map recommendation. He then asked for clarification about the meaning of the term "faux shutters". After clarification, Ms. Porter said they would reword that condition.
- Mr. Jefferson asked about stormwater facility and trail locations given existing wetlands. Ms. Porter noted that amenities would actually be outside the wetlands and avoid wetland impacts.
- Mr. Jefferson noted the condition related to having 100 square feet of brick or masonry and asked about the character of the homes in the surrounding neighborhoods. Ms. Porter noted that homes in the area had a mix of masonry and plank siding and that their intention was to be similar in nature to them.
- Mr. Voiland asked how public greenways and private trails would be differentiated. Ms. Porter offered that signage might be most appropriate (in addition to the difference in width).
- Mr. Moua asked about the condition dealing with a gap in the sidewalk on Bryan Road. Ms. Porter noted that the developer wants to construct it; however, they may need an easement from Everwood.
- Ms. Avent noted she had visited Everwood and wondered how the proposed street widths would compare. Ms. Porter provided specs and staff noted they would be the same.
- Ms. Avent expressed concerns about traffic and the ability to turn left from Bryan Road to White Oak Road. Lyle Overcash with Kimley-Horn said they performed the traffic study and detailed some of the improvements noted in the study.

- Mr. Blasco asked for insight on why NCDOT wasn't trying to fix the curve on Bryan Road. Mr. Overcash said when the land across the street developed that would probably be when NCDOT would work to flatten the curve.
- Mr. Jefferson asked if the expected price point was about \$500,000. Ms. Porter said that was the projected price given the current sales climate. Rich Barta, the applicant, noted that this expectation was consistent with other neighborhoods in the area.

***Public Comments***

- Larry Brown did not cite opposition but expressed concern for natural habitat preservation, traffic issues all the way to US 70, and whether Everwood would have access to the amenities in Mahler's Creek. Ms. Porter noted access to the amenities could be considered. Mr. Triezenberg discussed the current options for extending Ackerman Road to NC 50.
- Bruce Gentry, 157 Tallowood Drive, expressed his concerns about density, the apparent lack of consideration of Fox Haven lot sizes and home quality. He noted his preference for R12 zoning. Staff later noted they could provide information on Fox Haven and acknowledged taking Fox Haven into account for the final recommendations on consistency but noted significant differences in development rules for the Commission.
- Sherry Garcia, 132 Tallowood Drive, expressed concerns about not yet having identified a builder. Ms. Porter noted that unless the developer and builder are one and the same as with national tract builders, her experience is that a builder is not typically known at this stage of development.
- Elizabeth Morrison, 365 Tallowood Drive, asked about the size of the homes, the possibility of reducing the number of homes beyond the pinch point, and questioned the expected price point. Ms. Porter said all homes would be a minimum of 2,400 heated square feet. Mr. Triezenberg noted that price points, while of interest, are not something the town staff can suggest directly as a condition. For comparison, he noted that Everwood homes range in size from just over 2,300 square feet on up.
- Marshall Garrett, 135 Coffeeberry Court, asked why this development would be considered before Bryan Road was widened. He asked if every subdivision required stubs. Mr. Blasco responded with his understanding of NCDOT operations.
- Clifford Kendall, 156 Tallowood, noted his employment history in multi-modal transportation planning and also expressed concerns about existing development along Bryan and White Oak roads and the corresponding insufficiencies of the road network.
- Jamie Hawkins, 140 Coffeeberry Court, asked about maintenance of the roads. Ms. Porter said the roads were intended to be public and maintained by the town.

- Mr. Blasco returned the discussion to the Commission and detailed next steps in the process.
- Ms. Avent asked why a deviation would be allowed. Mr. Bamford said applicants were able to request a deviation and that was what they had requested. Mr. Triezenberg detailed the history of incorporating the PRD zoning designation into the ordinance.
- Mr. Blasco reminded the Commission that the current request is technically inconsistent due to the density being capped at 2.4 units/acre. He also noted his appreciation of crawl space foundations which could lead to less grading.

**Consistency Statement and Recommendation:**

In a unanimous vote, the Planning Commission adopted the following statement about plan consistency – “This request to rezone approximately 8.68 +/- acres from Single-Family Residential (R-12) and 63.87 +/- acres from Single-Family Residential (R-40) to Planned Residential Development (PRD C12) Conditional is inconsistent with the future land use map’s recommended density range of 2.5 to 5 units per acre for Medium-Density Residential land use as the request only achieves a density of 2.4 units per acre, even though the proposed use of single-family residential is consistent with the Plan’s recommended land uses.”

As part of their unanimous vote, the Planning Commission also recommended approval of the proposal with the following modification to the proposed planned district regulations – that the deviation allowing 7,200 square foot lots be removed.

**VII. REASONABLENESS OF REQUEST**

**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.

**Staff Commentary:** While both the request and the Planning Commission’s recommendation are both technically inconsistent with the adopted future land use map for overall density; staff believes a reasonable case can be made for supporting the overall request. Reasons the Council may wish to discuss (in addition to their own) as part of their deliberations and add to any motion to approve:

1. The proposed density at 2.4 units per acre is slightly less than the recommended bottom density range of the MDR at 2.5 units per acre. A lower density would be more context sensitive – which is encouraged within the MDR designation – as neither of the adjacent subdivisions (Fox Haven and Everwood) meet or exceed 2.5 units per acre.

2. The requested rezoning provides for the development of single-family homes with a minimum heated square footage of 2,400 on crawl spaces and without vinyl siding, which are architecturally compatible with the construction of homes in the surrounding neighborhoods.
3. The requested rezoning provides for lot sizes similar to those of neighboring subdivisions in most areas immediately adjacent to said subdivisions.
4. The request is consistent with both the Town's transportation plans and the Parks, Recreation, Greenways and Cultural Resources Master Plan.
5. The developer has acknowledged this project is in the benefit area of the Pulte (Cambria) Development Agreement and will be subject to the terms therein.

**Previous Council Decision Meeting Summary:** The Town Council discussed a decision on this case at their meeting on Monday, December 6, 2021. Please refer to [Town Council Meeting for 12/6/2021 - YouTube](#) video stream at the Town of Garner's YouTube page (<https://www.youtube.com/@TownofGarner/streams>). The staff presentation begins at the 28:00 mark of the video, and comments/discussion begins at the 48:30 mark.

There were comments about the buffer and grading, traffic at White Oak and Bryan roads, overall traffic safety in the area.

The Town Council voted unanimously to table the case until such time as there was more clarity for resolving the matter of installing a signal at White Oak and Bryan roads.

## **VIII. RECOMMENDATION**

**Staff Recommendation:** Staff supports CZ-PD-20-02 as presented and reflected in Sections III and V of this report, recommends Town Council approval of the Planning Commission's statement of consistency outlined in Section VI of this report, and further recommends approval of the zoning amendment request as a reasonable one – see following motion worksheet.

**Staff Commentary:** Regarding Planning Commission's recommendation to eliminate the 7,200 square foot lots, Staff makes the following observations:

- Eliminating the 7,200 square foot lots removes the incentive for the applicant to request PRD zoning which brings with it a requirement for 25% open space as opposed to the regular 10% for a "traditional" subdivision.
- Existing floodplains and environmentally protected open space accounts for approximately 10% of the site, meaning that there would be no recreational open space required for a "traditional subdivision" – the PRD proposal adds about 15% additional land area as recreational open space.
- "Traditional" development typically must "set aside" about 1/3 of their site for streets, stormwater and open space. Staff estimates that a "traditional" subdivision may yield between 171 and 184 12,000-square foot lots (range of 30-35% set aside),

which is not significantly different from the proposed PRD cap of 174 units. Note: This estimate assumes only R-12 zoning and not a mix of R-12 and R-9.

- The PRD request requires an additional perimeter setback ensuring additional separation of new units from existing units, whereas a “traditional” subdivision has no requirement beyond a regular rear setback.
- “Traditional” development is not the only style permitted under regular zoning rules, and the choice of a cluster layout would allow up to 181 units – again, not significantly different from the proposed PRD (and assuming R-12 only – no R-9).
- While a cluster development appears to have similar open space requirements of 25%, there is a caveat that allows qualifying open space within a cluster development to be inclusive of stormwater facilities – which is not allowed in a PRD.

With lot yields being roughly equal between this PRD proposal and R-12 zoning allowances, the PRD proposal yields both more open space and specifically more recreation open space and the amenities associated with it, which staff believes to be a value add for the neighbors, the new subdivision and the Town as a whole.

## CZ-PD-20-02, Mahler's Creek PRD

### Zoning Amendment Motion Worksheet

Choose one of the following motions (*staff recommendation highlighted*):

<p><b>1. CONSISTENT AND REASONABLE</b></p>	<p>"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2023) 5127 approving rezoning <b>CZ-PD-20-02</b>, as the request is reasonable and in the public interest because it will likely (<u>select all applicable reasonableness options and/or provide your own reasoning</u> )."</p>
<p><b>2. CONSISTENT BUT NOT REASONABLE</b></p>	<p>"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, as our own; however, I also move that the Town Council deny rezoning <b>CZ-PD-20-02</b> as the request is not reasonable nor in the public interest because it will likely not (<u>select all applicable reasonableness options and/or provide your own reasoning</u> )."</p>
<p><b>3. INCONSISTENT YET REASONABLE</b></p>	<p>"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (<u>cite and insert land use plan evidence</u> ); yet, I also move that the Town Council adopt Ordinance No. (2023) 5127 approving rezoning <b>CZ-PD-20-02</b>, as the request is still reasonable and in the public interest because it will likely (<u>select all applicable reasonableness options and/or provide your own reasoning</u> )."</p>
<p><b>4. INCONSISTENT NOR REASONABLE</b></p>	<p>"I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (<u>cite and insert land use plan evidence</u> ); and I further move that the Town Council deny rezoning <b>CZ-PD-20-02</b>, as the request is not reasonable nor in the public interest because it will likely not (<u>select all applicable reasonableness options and/or provide your own reasoning</u> )."</p>

See next page for reasonableness options...

Select all applicable reasonableness options ( <i>staff suggestions highlighted</i> ):	
✓	Be of an overall design that keeps within the Town’s character and improves property values.
	Encourage redevelopment and reuse of existing sites and building that are complimentary to the surrounding area.
	Invest significantly in outdoor spaces and/or promote natural features such as major trees, streams, hills and woodlands.
	Provide attractive and pedestrian-friendly streetscapes that communicate small-town feel and a human-scaled environment.
	Create attractive and unique gateways to Garner; thereby attracting new visitors and encouraging people to return.
	Attract both younger and older populations.
	Be located and designed to create good multi-family places with quality exterior materials, open spaces and facades.
	Refocus development on our centers – including Downtown and North Garner.
✓	Allow/encourage shared-use and mixed-use developments.
✓	Support more 55+ housing opportunities.
	Emphasize new housing styles in walkable, mixed-use locations identified for growth.
	Mix housing types in infill areas in harmony with adjoining, existing neighborhoods.
✓	Create better neighborhood appearance by rear-loading driveways and using alleys, promoting walking in front of homes and allowing trash removal to be kept out of sight.
	Cluster townhomes, ancillary units, single-family attached and detached homes with similar design characteristics where they can live compatibly.
	Attract unique commercial establishments.
	Align the development code with the Town’s desired ends.
	Support work-in-place trends.
	Require all or a high percentage of parking to be at the side or rear of buildings and allow for the creation of enclosed pedestrian spaces.
	Allow a mix of smaller, leaner and cleaner manufacturing and industry with office and/or ground-floor retail; even housing.
✓	Connect the community internally with open spaces.
✓	Enhance the surrounding transportation network by providing interconnectivity, constructing proposed greenway trails, improving intersections and/or filling sidewalk gaps.
	Improve Garner’s position as a community that is a successful candidate for more fixed route transit services.
	Reflect a significant change in conditions or support a public policy established by the Town since the adoption of applicable land use plans.
	Achieve substantial improvement in the quality of life for Town residents.
	Increase the ability to achieve other goals of the Comprehensive Plan or improve Town operations.
	Other: <u>(may wish to add a statement from staff commentary in Section VII)</u>
	Other: _____



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

**ORDINANCE NO. (2023) 5127**

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

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

WHEREAS, the Town Council finds that although the proposed single-family use is consistent with the recommended uses for the Medium Density Residential (MDR) future land use map category, this request to rezone approximately 8.68 +/- acres from Residential 4 (R4) and 63.87 +/- acres from Rural Agricultural (RA) to Residential 4 (R4 C212) Conditional for the development of a residential community of approximately 170 single-family homes on three sizes of lots is inconsistent with adopted land use plans as it proposes a density at 2.4 units per acre which is less than what the MDR category recommends (2.5 to 5 units per acre); and

WHEREAS, the Town Council further finds the request is reasonable and in the public interest because it is an overall design that keeps within the Town's character and improves property values; it connects the community internally with open spaces; and enhances the surrounding transportation network by providing interconnectivity, constructing proposed greenway trails, improving intersections and/or filling sidewalk gaps;

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

**Section 1.** That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by Burton Engineering in Zoning Map Amendment Application No. CZ-PD-20-02 (PRD C12).

**Section 2.** That there is hereby created a new conditional zoning district based on the former Planned Residential District (PRD) in effect at the time of project submittal, to be known going forward as Residential 4 (R4 C212) Conditional; all of the regulations that apply to property within the R4 C212 zoning district shall be applicable subject to the following conditions:

1. Permitted use table:

Use Category	Specific Use	R4 C212
Household Living **	Single-family detached	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. The maximum density shall not exceed 2.4 dwelling units per acre.
3. A deviation in lot size and lot percentages per Section 6.12. A, single family lot sizes in PRD developments. This section requires sixty percent (60%) of all single family lots to be at least 12,000 s.f. and forty percent (40%) meeting a 9,000 s.f. lot size. A deviation allowing for 7,200 s.f. minimum single-family lot sizes is proposed.
4. A deviation in some of the building setbacks greater than 20% is requested for the lots from Section 6.12. A, Residential District Development Standards for a PRD development. Lot setbacks are detailed in table below:

	Single Family R-12 (UDO 6.1A)	Single Family R-9 (UDO 6.1A)	Single Family PRD Proposed for 9,000 s.f. and 12,000 s.f. lots	Single Family PRD Proposed for 7,200 s.f. lots
Front Yard	30'	25'	20' <i>33% / 20%</i>	20' <i>33% / 20%</i>
Rear Yard	20'	20'	20'	20'
Side Yard	6' min./ 15' combined	6' min./ 15' combined	6' min./ 15' combined	5' min./10' combined <i>33%</i>
Corner Lot Side Yard	20'	20'	15' <i>25%</i>	10' <i>50%</i>
Building Separation	N/A	N/A	N/A	N/A

Percentage reduction from UDO shown in italics.

5. Grading shall be allowed in the 25' perimeter setback. Any grading will be mitigated by planting the following: for every 100' of disturbance in the 25' setback, 2 canopy

trees, 1 understory tree, 2 evergreen trees, and 14 shrubs shall be installed. Planting size at installation shall follow Sec. 7.1 of the Town of Garner UDO. The 25' perimeter setback shall be located where proposed lots back up to existing residential lots regardless of proposed lot size. The 25' perimeter setback shall not apply to 12,000 s.f. lots that back up to open space or other non-residential lots.

6. Lots that back up to existing homes located on the following roads shall include a 25' setback with additional landscape screening along the rear property line: Fox Trap Court, Twinberry Lane, Coffeeberry Court, Tallowood Drive, and Capertree Lane. Additional landscape screening shall be located in the 25' setback. Landscape screening shall include a single solid row of evergreen trees. These trees shall be a minimum of 4' tall at installation. Evergreen trees can be planted singularly or in combination. No more than 6 of the same species shall be planted in a row.

One or more of the following evergreen trees shall be used:

- a) Ilex x 'Nellie Stevens', Nellie Stevens Holly
- b) Ilex x 'Emily Bruner', Emily Bruner Holly
- c) Morella cerifera, Wax Myrtle
- d) Magnolia stellata 'Little Gem', Little Gem Magnolia
- e) Cryptomeria japonica 'Yoshino', Japanese Cedar
- f) Thuja 'Green Giant', Green Giant Arborvitae
- g) Prunus laurocerasus, Cherry Laurel

If existing conditions do not allow for installation of the additional plant material (i.e. slopes steeper than 3:1), a 6' tall solid wood fence (finished side facing out) may be used in lieu of the evergreen hedge. These plants would be in addition to any required plantings.

7. Each house shall be constructed with Hardiplank, masonry (brick or stone), or wood shake. The front elevation and any elevation facing a public right-of-way shall have a minimum of 2 of the aforementioned materials. Side and rear elevations not facing a right-of-way are not required to have a minimum of 2 materials. A varied color palette of grey-tones and muted earth tones shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding, and shall include varied trim, shutter, and accent colors complementing the siding across the whole development.
8. Single family home types shall have a crawl space foundation. Slab foundations are prohibited.
9. Foundation walls shall be clad with brick and/or stone veneer on all facades.
10. Each house shall have a minimum 10" overhang eave or rakes from all facades.
11. Each house shall have a minimum of 2,400 heated square feet.
12. All homes shall have a 2-car garage. Garages may be front loaded or side loaded. Garage doors shall have windows, decorative details, or carriage-style adornments. All driveways shall be concrete.

13. Each house shall have one of the following: deck, covered porch, sunroom, or a patio. Each of these shall be a minimum of 100 s.f.
14. Each house shall have architectural asphalt shingles (meaning colored and patterned to give the appearance of dimension) and a minimum of one forward-facing gable. Metal roofs are prohibited except where used as an accent.
15. At least 50% of the homes shall have a minimum of 100 square feet of brick and/or stone masonry on the front elevation.
16. All side and rear elevations visible from a public right-of-way shall have a minimum of one window with shutters.
17. Front facing windows not set in masonry trim shall have shutters, additional trim board, or other detail/feature.
18. The height limitation for all houses shall be <math>45' / 3</math> story maximum.
19. A min. 2,000 s.f. pool, min. 500 s.f. kids pool, and min. 2,000 heated s.f. clubhouse will be included with this development.
20. A min. of 14% of tree save will be included with this development.
21. A min. of 1,320 linear feet (0.25 miles) of Town of Garner Public Greenway shall be constructed as part of this development. Greenway shall be located in a 30' wide Town of Garner Greenway Easement.
22. A min. of 6,600 linear feet (1.25 miles) of private greenway / 6' wide side path shall be constructed as part of this development.
23. A sidewalk connection (approximately 40 linear feet) along Bryan Road from the southern corner of Mahlers Creek to the entrance to Everwood shall be constructed so long as either the land is donated or easement is provided to accommodate the additional sidewalk.
24. Developer will install a traffic calming device at the two proposed connections on Capertree Lane and Coffeeberry Court in Everwood Subdivision that is acceptable to the Town Engineering Department and other Town agencies as applicable.
25. The development is located in the White Oak/Bryan Corridor Impact Area as defined in the Development Agreement dated December 19, 2022, and recorded in the Wake County Registry at Book 19234 Pages 690 (the "Development Agreement"). Consistent with the terms of Article 6 of the Development Agreement, prior approval of the first final subdivision plat of any portion of the development the developer shall either (1) enter into a Cost Share Agreement with Pulte Home Company LLC or (2) make a Corridor Fee Payment to the Town.

**Section 3.** The official Zoning Map of the Town of Garner is amended by changing the zoning classification of the property identified below and as shown on a map in application file:

Owner(s)	Tract No.	Existing Zoning	New Zoning
Bryan Road LLC &	1720012472,	Residential 4 (R4) and	Residential 4 (R4

South Park Development Corp	1720027137, and 1720019776	Rural Agricultural (RA)	C212) Conditional
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**Section 4.** The Planning Department shall change the Official Zoning Map displayed for the public to reflect this change immediately following adoption of this ordinance. In addition, a copy of this ordinance shall be filed in the Planning Department.

**Section 5.** All provisions of any town ordinance in conflict with this ordinance are repealed.

**Section 6.** That the Town Clerk shall cause a duly certified copy of this ordinance to be recorded in the office of the Wake County Register of Deeds.

**Section 7.** This ordinance shall become effective upon adoption.

Duly adopted this 19<sup>th</sup> day of September 2023.

---

Ken Marshburn, Mayor

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



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

August 10, 2021

**Mahlers Creek Development**  
**Traffic Impact Analysis Review Report**  
**Congestion Management Section**

TIA Project: SC-2021-179  
Division: 5  
County: Wake



**Doumit Y. Ishak, Regional Engineer**  
**Clarence B. Bunting, IV, P.E. Project Engineer**  
**Braden M. Walker, P.E. Project Design Engineer**

Mailing Address:  
NC DEPARTMENT OF TRANSPORTATION  
TRANSPORTATION MOBILITY & SAFETY DIVISION  
1561 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1561

Telephone: (919) 814-5000  
Fax: (919) 771-2745  
Customer Service: 1-877-368-4968

Website: [www.ncdot.gov](http://www.ncdot.gov)

Location:  
750 N. GREENFIELD PARKWAY  
GARNER, NC 27529

## Mahlers Creek Development

SC-2021-179	Garner	Wake County
-------------	--------	-------------

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	07/13/21	Date of Site Plan	03/31/21
Date of Complete Information	07/13/21	Date of Sealed TIA	07/13/21

### Proposed Development

The TIA assumes the development is to be completed by 2025 and consist of the following:

Land Use	Land Use Code	Size
Single Family Detached Housing	210	170 d.u.

### Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
<b>AM Peak Hour</b>	32	94	126
<b>PM Peak Hour</b>	106	63	169
<b>Daily Trips</b>			1,694

### General Reference









For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/tepl/Topics/C-37/C-37.html>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

### Improvements By Others

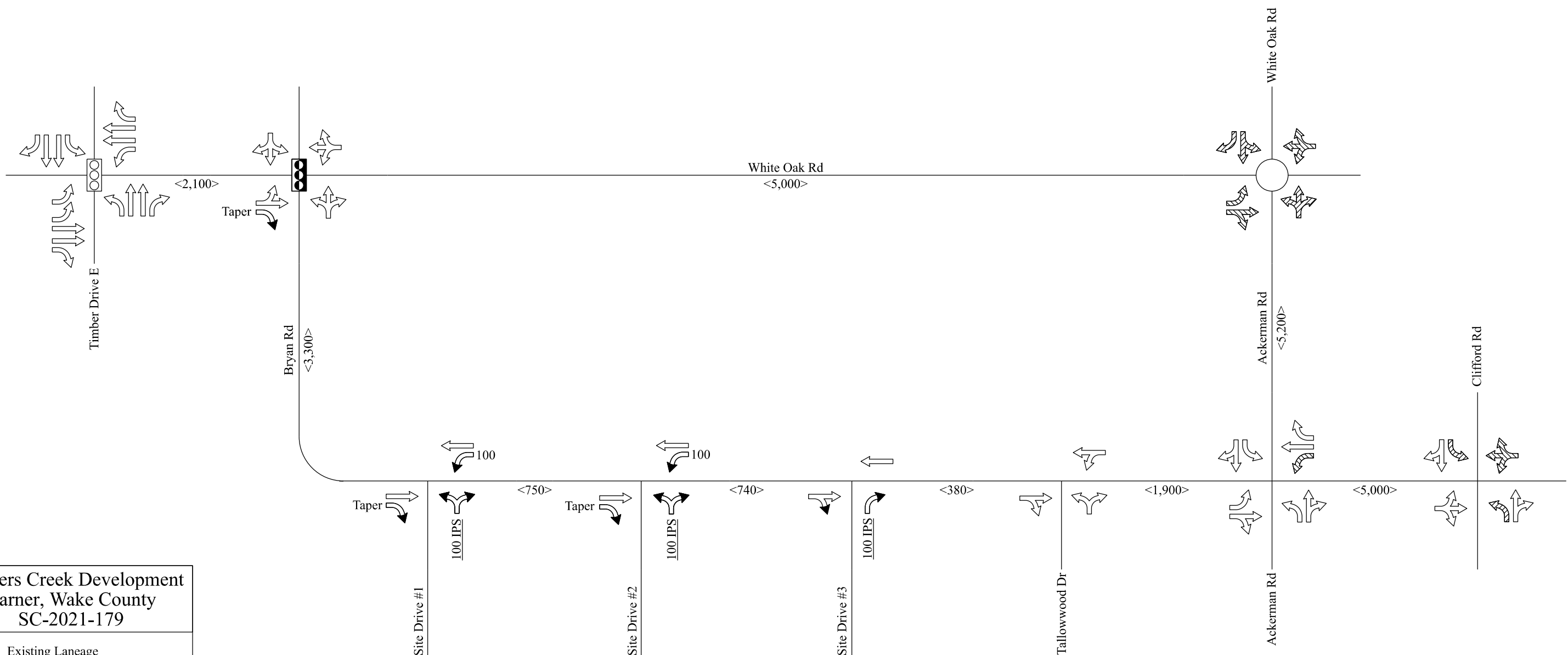
The analysis includes background improvements by others. If these improvements are not in place at the time of construction, the site should provide these improvements or analysis demonstrating mitigation is not necessary.

**Mahlers Creek Development  
Garner, Wake County  
SC-2021-179**

-  Existing Laneage
-  Recommended Laneage
-  Laneage Built By Others
-  NCDOT Recommendation
-  Existing Signal
-  Signal Proposed By Others
-  Developer Proposed Signal
-  Monitor for Signal
- XXX Storage
- XXX NCDOT Recommended Storage
- <XXX> Distance Between Intersections
- IPS Internal Protected Stem
- All Distances in Feet
- Drawing Not to Scale



SITE





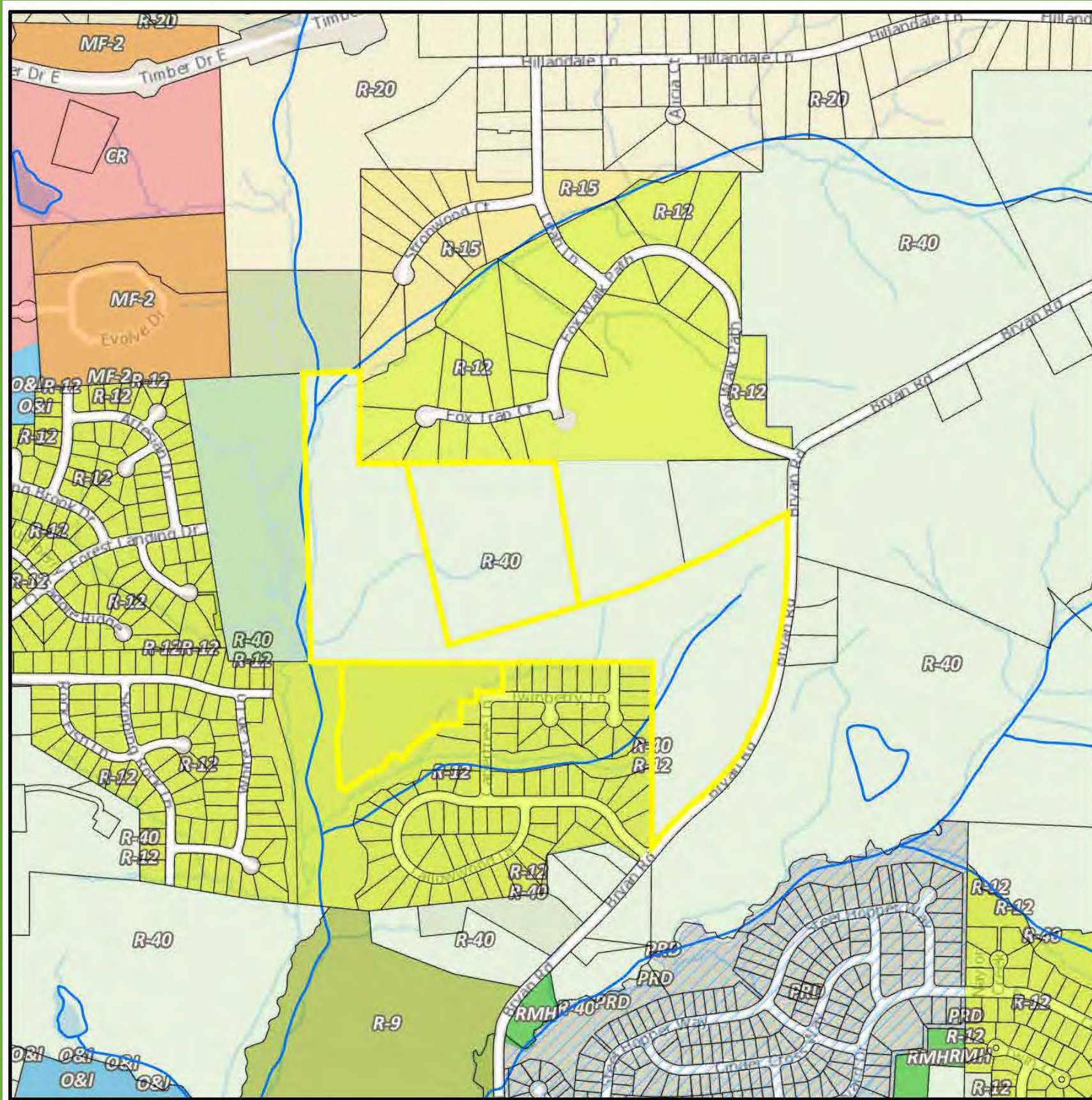
# MAHLERS CREEK

*...just a few steps from nature*

*Planned Residential Subdivision  
CZ-PD-20-02*

*Garner Town Council  
September 19, 2023*

Design and Development Team:  
Developer: Bryan Road Residential, LLC  
Engineering/Surveying: Burton Engineering Associates  
Landscape Architecture & Land Planning: TMTLA Associates  
Environmental: Hart & Hickman



### Site Overview:

- Site is located on Bryan Road between Benson Road and White Oak Road.
- Site is 72 acres and is currently zoned R-12 and R-40
- Currently located in Wake County
- Our proposed development is bordered by the Fox Haven neighborhood to the north and the Everwood neighborhood to the south. Bryan Road borders the east and a parcel owned by the Town of Garner borders the west.
- Our request includes a rezoning to the Planned Residential Development (PRD) zoning district as well as annexation into the Town of Garner corporate limits.

# MAHLERS CREEK

...just a few steps from nature

# DETAILED MASTER PLAN

*“Mahlers Creek, a planned residential community, works with the existing lay of the land to create a neighborhood that allows for the preservation of natural environmental features such as 100 year floodplain, steep slopes, and buffered streams. Preserving these areas allows for the creating of a trail network within the neighborhood which permits residents to enjoy the beauty of nature right at their doorstep.”*



- LEGEND**
- MIN. 7,200 SF LOTS
  - MIN. 9,000 SF LOTS
  - MIN. 12,000 SF LOTS
  - OPEN SPACE
  - TREE PRESERVATION
  - GREENWAY TRAIL (PUBLIC)
  - GREENWAY TRAIL (PRIVATE)
  - 6' SIDE PATH
  - DOG PARK
  - MINI PARK
  - TOT LOT
  - GAZEBO
  - POOL AND CLUBHOUSE

# MAHLERS CREEK

## Architectural Conditions/Elements (highlighted):

- Each house shall be constructed with Hardiplank, masonry (brick or stone), or shake.
- A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding, and shall include varied trim, shutter, and accent colors complementing the siding across the whole development.
- Single family home types shall have a crawl space foundation. Slab foundations are prohibited.
- Each house shall have a minimum of 2,400 heated square feet.
- Each house shall have one of the following: deck, covered porch, sunroom, or a minimum of a 100 square foot patio.
- At least 50% of the homes shall have a minimum of 100 square feet of brick and/or stone masonry on the front elevation.
- Vinyl is permissible where used for vinyl windows. Any other use of vinyl is prohibited (i.e. no vinyl siding will be permitted).
- Mahlers Creek will meet or exceed the Everwood HOA CCR (Covenants, Conditions, and Restrictions).



# ARCHITECTURAL ELEMENTS

Homes in Mahlers Creek shall contain a minimum of two types of materials (i.e. Hardiplank, shakes, masonry, etc.) in addition to required masonry on exposed foundation. Front elevation windows that are not set in masonry shall have shutters, additional trim board, or other details/features.

Side and rear elevations are not required to have additional material. Decorative garages shall include windows and upgraded materials.

Vinyl is permissible where used for vinyl windows. Any other use of vinyl is prohibited.



# HOUSING STYLES

Mahlers Creek will be a traditional neighborhood containing single-family homes on varying lot widths. Lots range from 7,200 s.f. to 12,000 s.f.



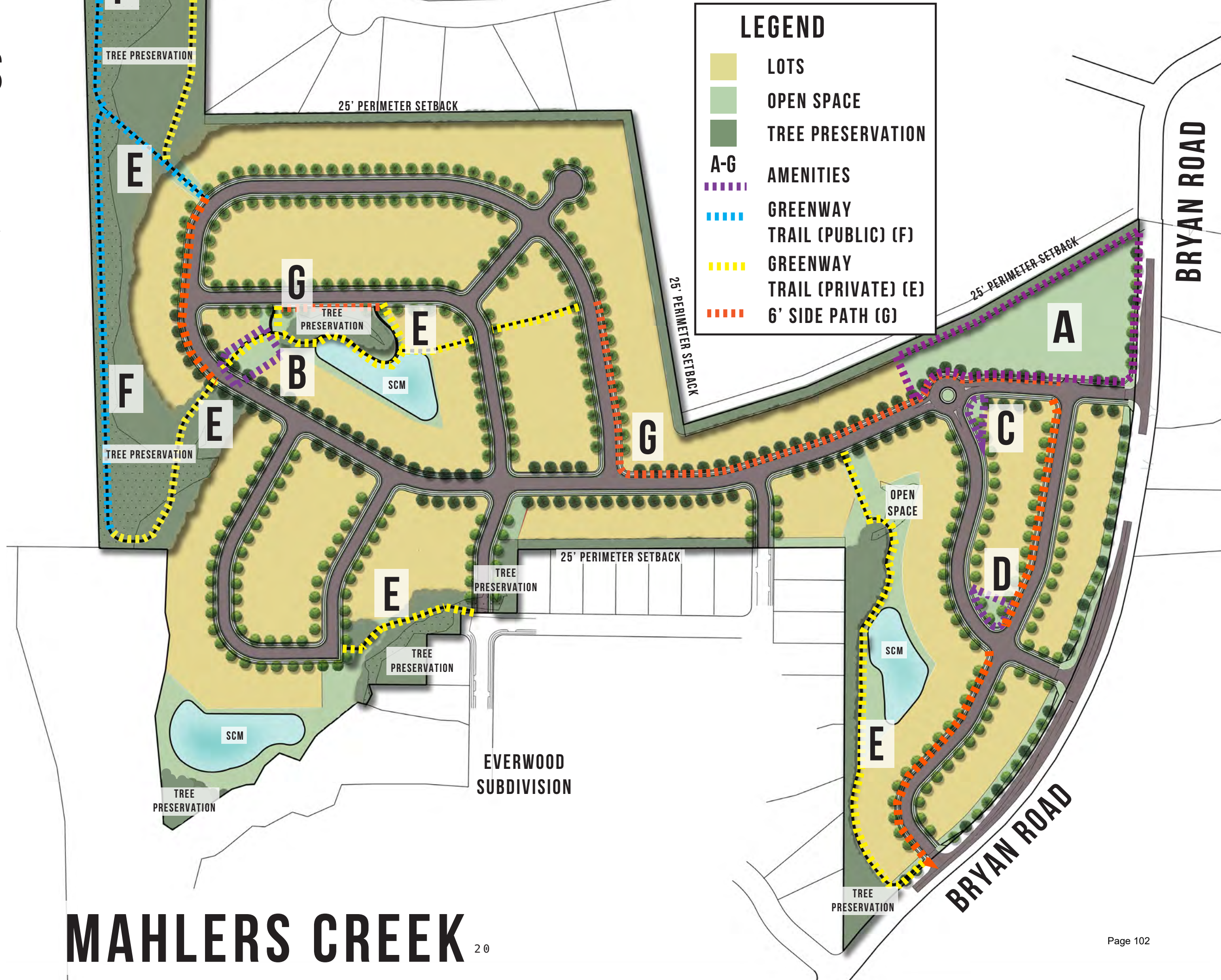
**Projected Home Prices for Mahlers Creek: \$500,000.00 to \$600,000.00**

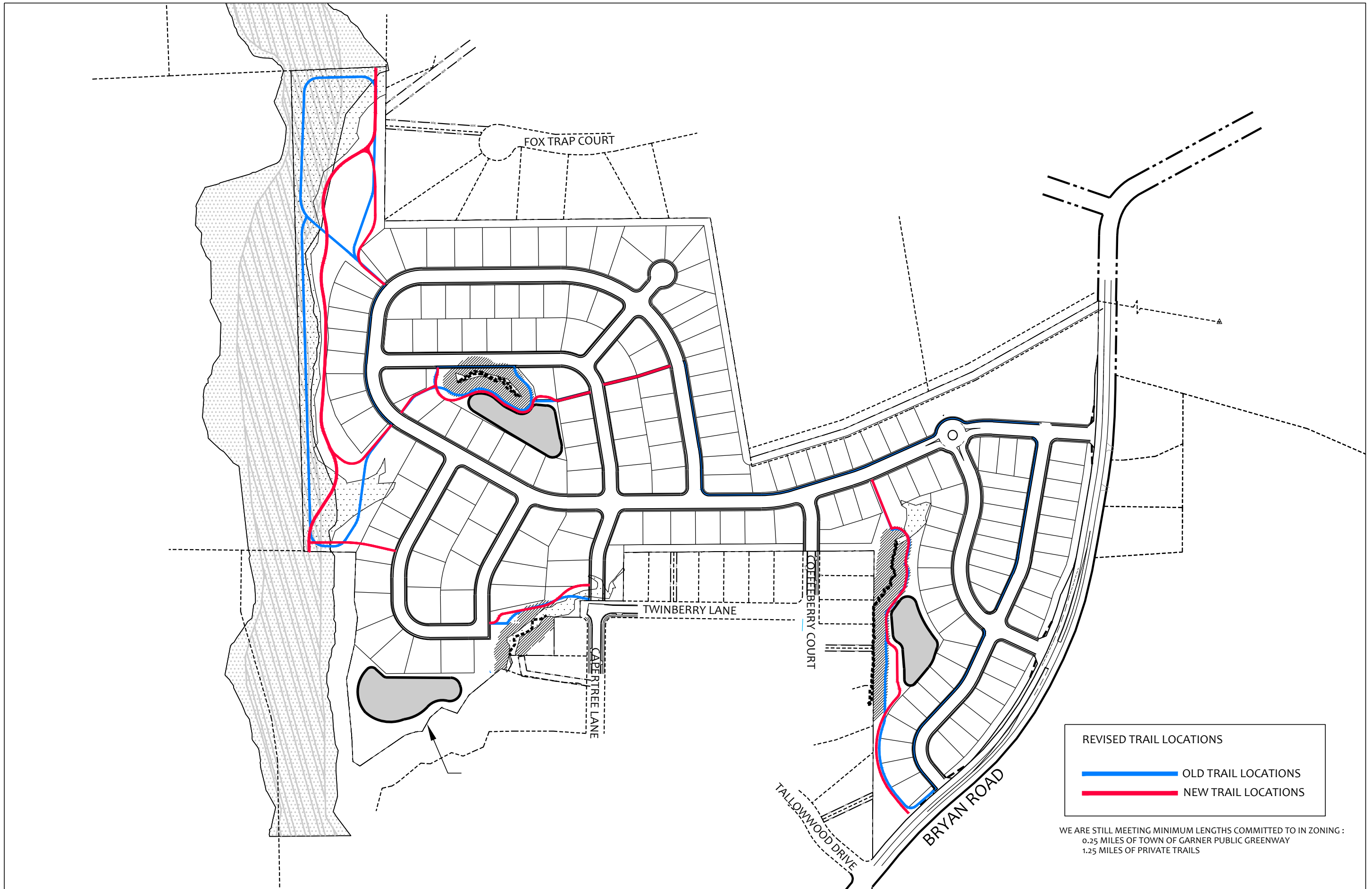
# AMENITIES

**Amenities:**

- Trail System
- Usable open space and green space/mini parks throughout
- Environmentally sensitive areas preserved open space
- Parking provided per Town of Garner UDO

- (A) Pool/Clubhouse, Dog Park, and Tot Lot
- (B) Picnic Gazebo and Dog Park
- (C) Mini-Park
- (D) Mini-Park
- (E) Private Trails
- (F) Public Greenway
- (G) 6' Wide Side Path (part of private trail system)





## Mahlers Creek – Benefits to the Community

1. Mahlers Creek will be a quality private development. Increased housing creates increased tax base. Per the Garner Comprehensive Plan, *“...quality private development, which in turn helps Garner be in a better position to attract new development with favorable design qualities and amenities that can also build improvements to infrastructure that help ensure long-term financial viability in a “virtuous circle” of sustainable improvements.”*

- Balance Costs with Revenues
- Influence Design to Keep our Character and Improve Value
- Create a Vibrant Community

2. A variety of lot sizes presents the opportunity for residents to “age in place” – buy a larger home in the same neighborhood if more space is needed/desired. A variety of lot sizes also means a variety of price points to help accommodate various income levels. This creates a more diverse neighborhood with regard to income levels and age – young families/professionals to empty nesters can enjoy Mahlers Creek.

3. Mahlers Creek was designed to also be sensitive to surrounding development. We are increasing the housing base, which is needed, but we are also creating a neighborhood that is similar in density and dwelling unit type in the surrounding area. Everwood, for example, is the neighborhood directly to the south of our development. It is zoned R-4 and lots average between 12,500 s.f. and 14,000 s.f. The largest lots in our development, which are adjacent to Everwood, are a minimum of 12,000 s.f. Those lots were placed adjacent to the Everwood lots so like development was next to like development. Homes on the larger lots in Mahlers Creek will be similar in size and design to those in Everwood. The smaller lots included in our development are located in the center and front of the neighborhood. These lots will be sized similar to other adjacent neighborhoods, such as Bingham Station, Grove at White Oak, and many of the other developments to the southeast of Mahlers Creek. We commit to each house having a minimum of 2,400 heated square feet, which is in line with other homes in this area.



## Mahlers Creek – Benefits to the Community

4. Mahlers Creek includes a variety of amenities which will be not only be a selling point for residents wanting to move into the neighborhood but also a reason for them to stay. Resident longevity in a neighborhood makes the neighborhood more desirable to new potential buyers. Per the Garner Comprehensive Plan, *“Housing for Garner’s citizens should continue to adapt to changing market influences and should specifically focus on location, quantity, and design quality to drive how Garner will look in the future.”*

- Attract Young and Old Populations

5. Mahlers Creek provides a portion of the public greenway trail along the west side of the site. The greenway trail is an asset to the Town of Garner and providing the section of greenway in Mahlers Creek will help to complete the Mahlers Creek Corridor Greenway Trail. This is part of the greater Town of Garner Greenway and Trail Plan which will, eventually, allow someone to utilize the greenway network to go to various employment centers, Downtown Garner, and connect to greenway trails in adjacent jurisdictions. This also could lead to less dependence on vehicles.

6. Even with less vehicle dependency by residents using the greenway trail, Mahlers Creek will still increase vehicle traffic on the surrounding roads. As such, the developer is making a total contribution of \$1,181,296.43 toward roadway improvements. Breakdown of off-site roadway improvements on following slide.

7. Mahlers Creek will create connections via roadway, the sidewalk network, and connections to the public greenway trail. This will allow for the convenient movement of traffic (pedestrian and vehicular), or to facilitate access to neighborhoods by emergency service vehicles.

The last time we were before you in December of 2021 the Council collectively agreed to hold off on a vote until the off-side road improvements were sorted out. We've been working behind the scenes to come up with what we consider is our fair share of off-site improvements.

### OFF-SITE ROADWAY IMPROVEMENTS

Mahlers Creek is contributing the following for roadway improvements:

- i) \$903,540.00 for constructed off-site improvements
- ii) \$277,756.43 for off-site improvements under the Walters Buffalo Developer Agreement between the Town of Garner and Pulte Home Company, LLC (this will be a reimbursement of cost for off-site improvements)

The total contribution for Mahlers Creek \$1,181,296.43.

**Thank you for your consideration.**

**Any Questions?**

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023		
Subject: Draft Garner Forward Comprehensive Plan - Mapping Edits		
Location on Agenda: Old/New Business		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<p><b>Brief Summary:</b></p> <p>Continuation of the review of mapping edits proposed by project staff and endorsed/refined by the Planning Commission for the draft Garner Forward Comprehensive Plan. Factors considered: geographic distribution (service deserts), availability of land along existing or near term transportation corridors, previous Council development decisions, and past plans.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Consider a motion on which mapping edits to keep for inclusion in final document editing.</p>		
<p><b>Detailed Notes:</b></p> <p>Page numbers reference the pages on which the maps appear in Version 3 of the draft plan.</p>		
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:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

## Planning Department Staff Report

**TO:** Honorable Mayor Marshburn and Town Council Members

**FROM:** Jeff Triezenberg, AICP, GISP; Planning Director  
Matt Noonkester; CityExplained

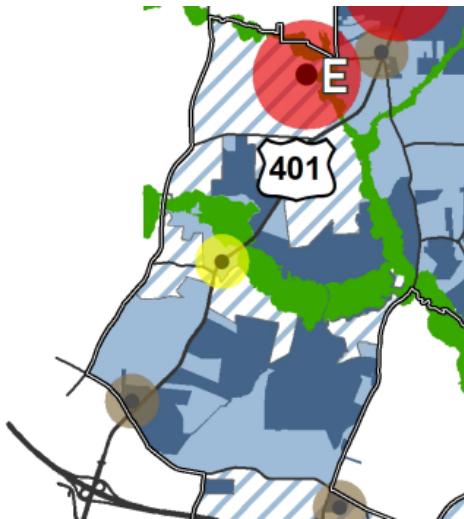
**SUBJECT:** ***Draft Garner Forward Comprehensive Plan – Mapping Edits***

**DATE:** September 19, 2023

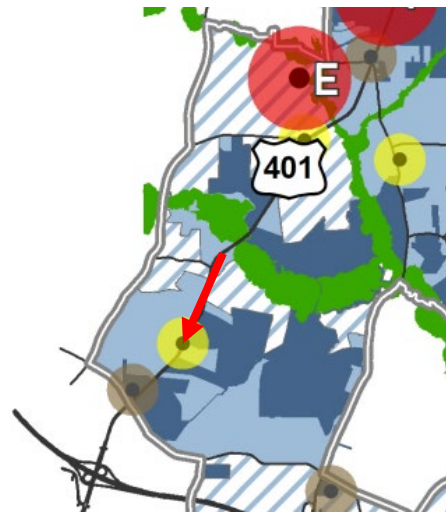
The following edits were proposed by project staff after an operational review of the map series in the draft document with a focus on geographic distribution (service deserts), availability of land along existing or near term transportation corridors, previous Council development decisions, and past plans. Amendments were favorably received and recommended by the Planning Commission – some partial exceptions noted. Page numbers reference the pages on which the maps appear in Version 3 of the draft plan.

1. Page 34 – move Neighborhood Activity Center on map from 401 at Manor Ridge Drive to 401 just south of Abbotts Mill Drive.

*Note: Developable parcels at existing location owned by an area church with future plans for expansion and related uses. Better land availability and central to neighborhoods in this corner of Garner (south of Swift Creek, north of Ten Ten Rd, east of Lake Wheeler Rd, and west of railroad).*



v.1

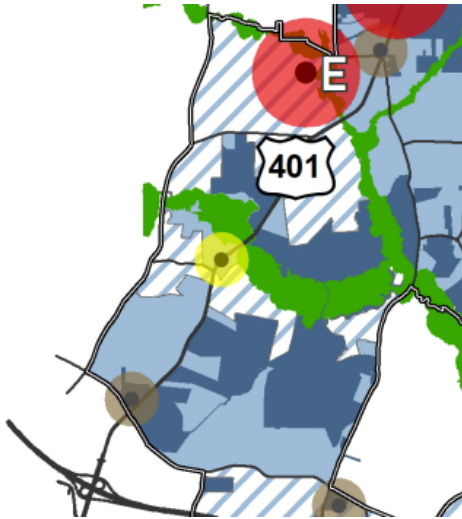


v.2 and 3

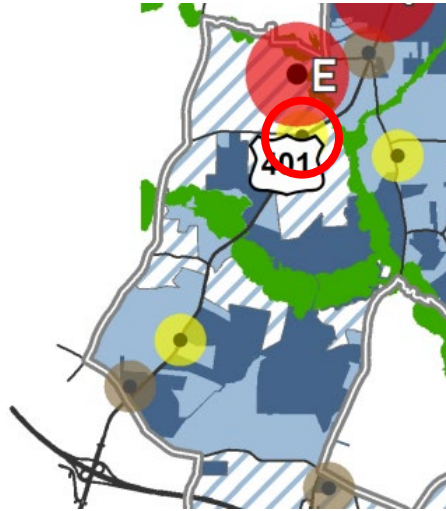
2. Page 34 – add Neighborhood Activity Center on map to intersection of 401 and Simpkins Road.

*Note: No neighborhood level service called for in this corner of Garner (north of Swift Creek, south of Farm Road, east of Lake Wheeler and west of railroad) – central to neighborhoods in the area, previous plan showed possibility of change in area to support more commercial, but scale of change held in check by Neighborhood Character Typology remaining consistent.*

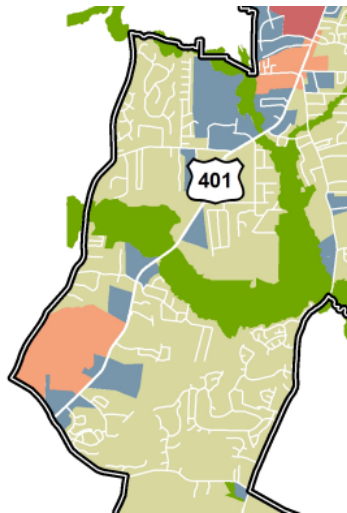
- a. In conjunction, Page 60 - change parcels there from Level Two to Level Three. (shown below – second map set)



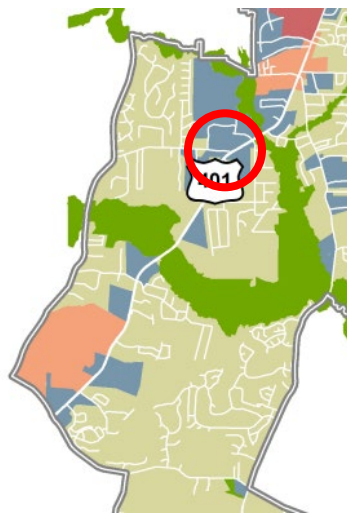
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v.2 and 3



v.1

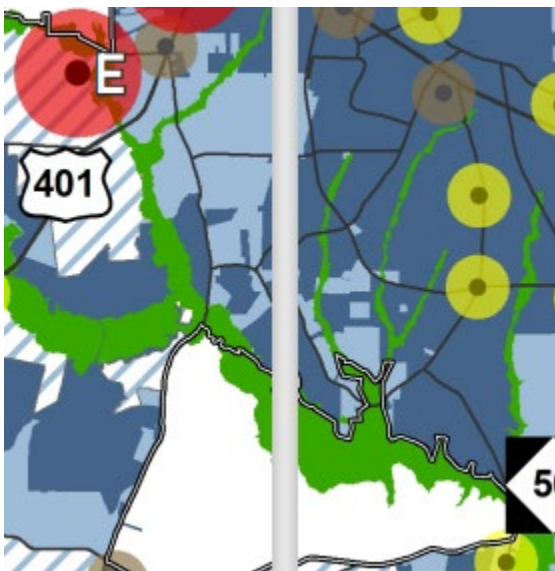


v.2 and 3

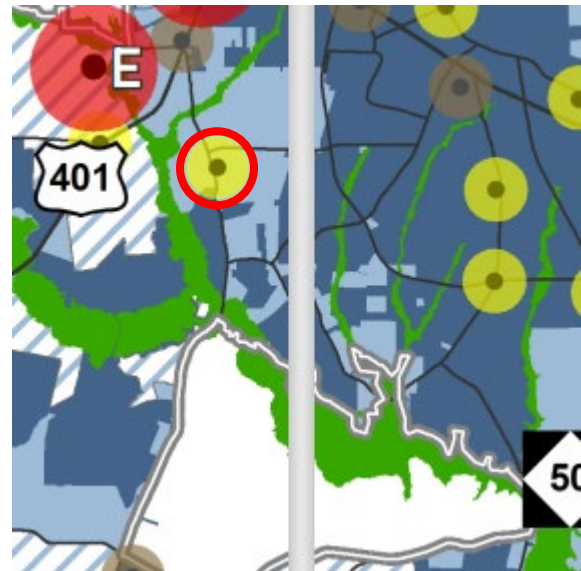
3. Page 34 – add Neighborhood Activity Center **south of** Woodland Road and Old Stage Road.

*Note: No neighborhood level service called for in this corner of Garner (between Little Swift Creek and Aversboro Road) – central to neighborhoods in the area, current zoning envisioned grocery anchored node at Vandora Springs and Old Stage, but land there is constrained. Some Planning Commission members felt it should be pushed further south down Old Stage; however, staff maintains a better opportunity between Woodland and Academy near 300+ townhomes being developed at Rollman Farms.*

- a. In conjunction, Page 60/61 - change parcels there from Level Two to Level Three. (shown below – second map set)
- b. In conjunction, Page 234/235 – change parcels there from Tier 3R to Tier 3NR. (not shown)



v.1



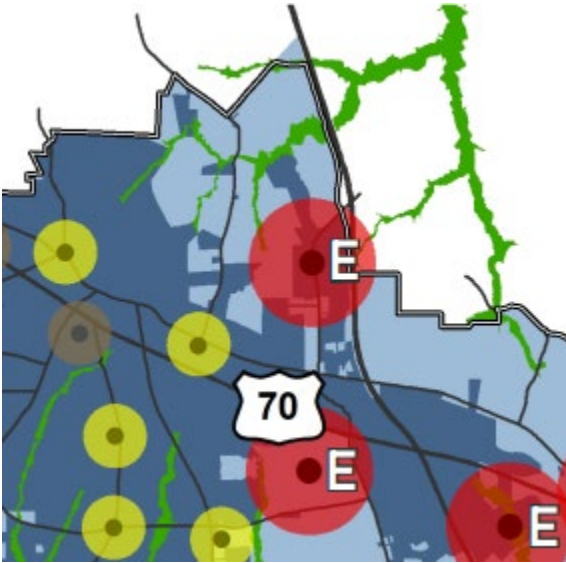
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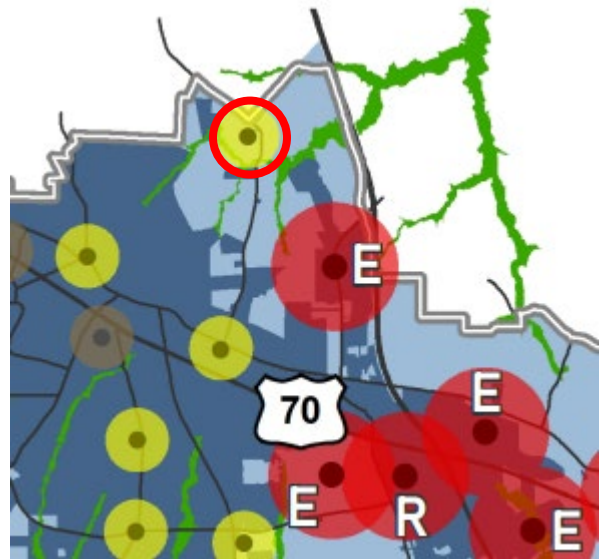
4. Page 35 – add Neighborhood Activity Center on map SW of intersection of future Tryon Road and Creech Road.

*Note: No neighborhood level service called for in this corner of Garner (often referred to as North Garner) – near a future intersection of thoroughfares (Tryon Road Extension, Creech Road and Wilmington Road). Some land availability and support walkability for workforce housing planned in the area.*

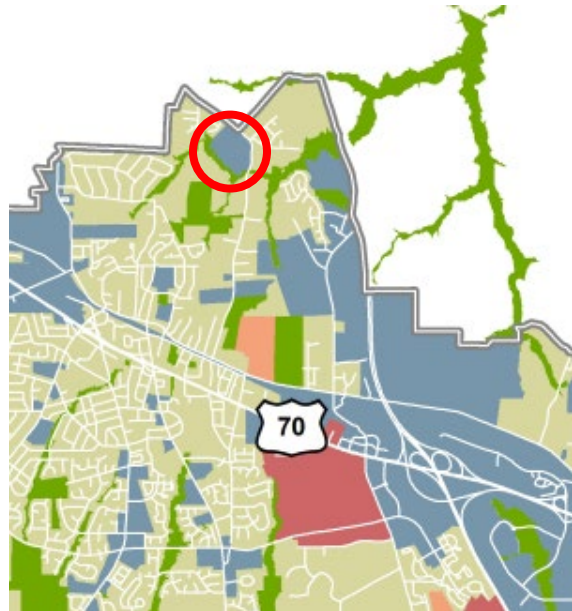
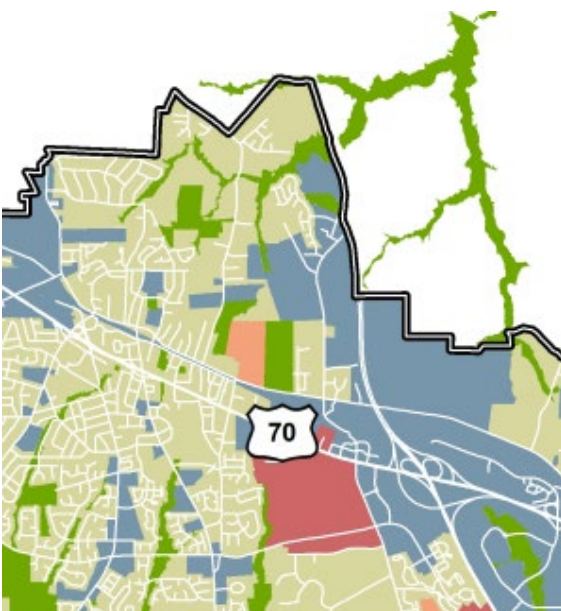
- a. In conjunction, Page 61 - change parcels there from Level Two to Level Three. (shown below – second map set)
- b. In conjunction, Page 235 – change parcels there from Tier 3R to Tier 2NR. (not shown)



v.1



v.2 and 3

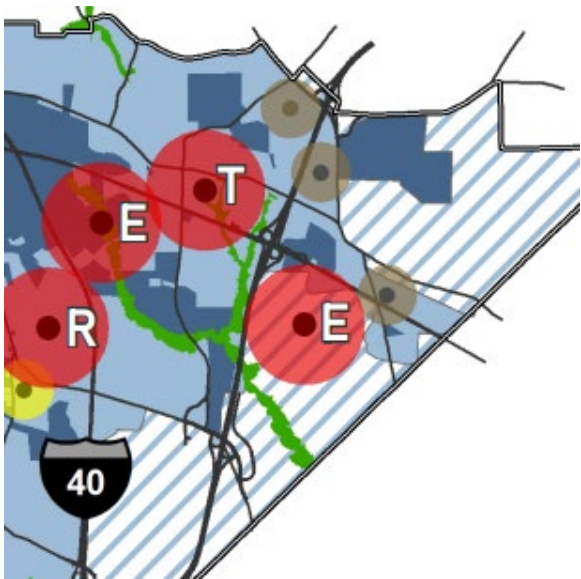




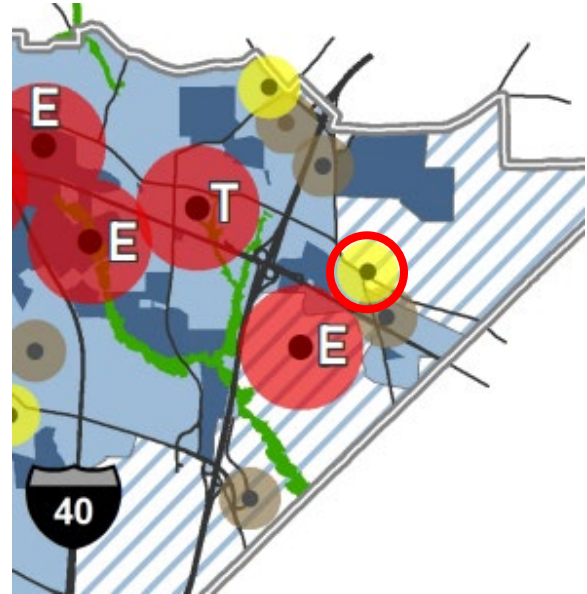
5. Page 35 – add Neighborhood Activity Center on map NE of intersection of Guy Road and E. Garner Road.

*Note: No neighborhood level service called for in this corner of Garner (east of future 540). Some land availability off the main US 70 corridor).*

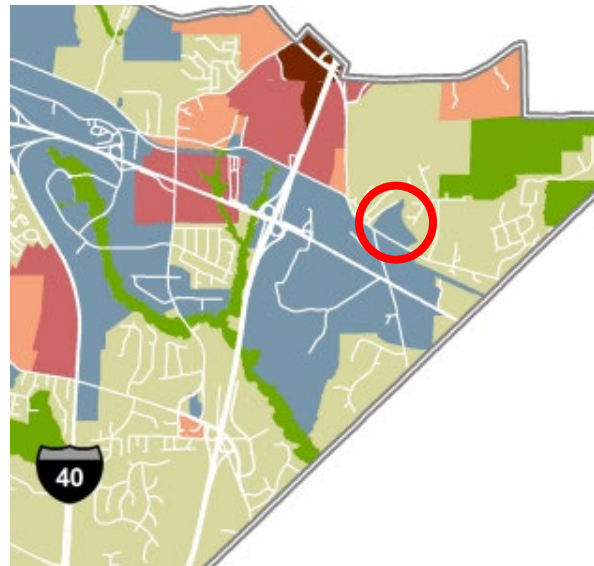
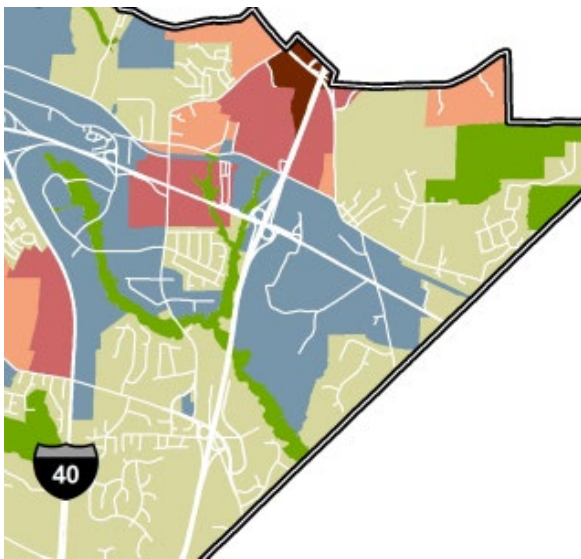
- a. In conjunction, Page 61 - change parcels there from Level Two to Level Three. (shown below – second map set)
- b. In conjunction, Page 235 – change parcels there from Tier 3R to Tier 3NR. (not shown)



v.1



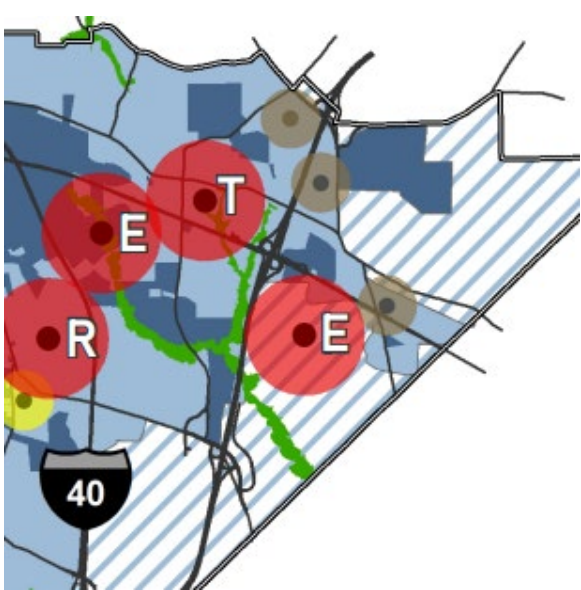
v.2 and 3



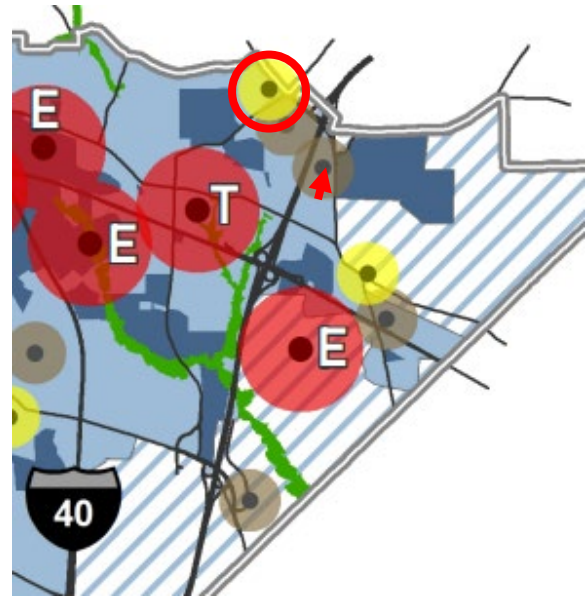
- Page 35 – add Neighborhood Activity Center on map NW of intersection of Auburn-Knightdale Road and Rock Quarry Road – and slight shift of Community Activity Center east of 540 at Rock Quarry Road to the north.

*Note: No neighborhood level service called for in this corner of Garner (between Greenfield and 540). Also reflects stated desire during previous cases that the Burnette Farms area support non-residential on this particular corner – community services already envisioned around interchange).*

*Community Activity Center shifted to cover future retail area reserved as part of Edge of Auburn proposal and keep all of the community services from sprawling too far from the interchange.*



v.1



v.2 and 3

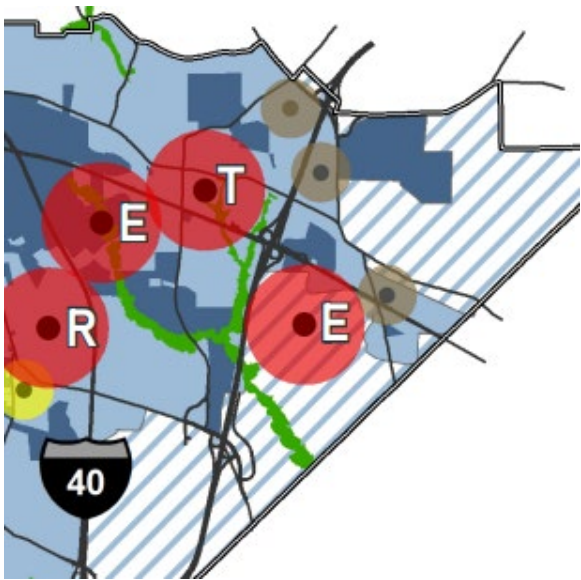
7. Page 35 – add Community Activity Center on map in SW quadrant of NC 540 interchange with White Oak Road.

*Note: Could pull some economic activity into Wake County for folks not wanting to travel to NC42 commercial areas as well as relieve some community service pressure off of the White Oak Shopping area. Identified by Economic Development staff as more than a residential opportunity.*

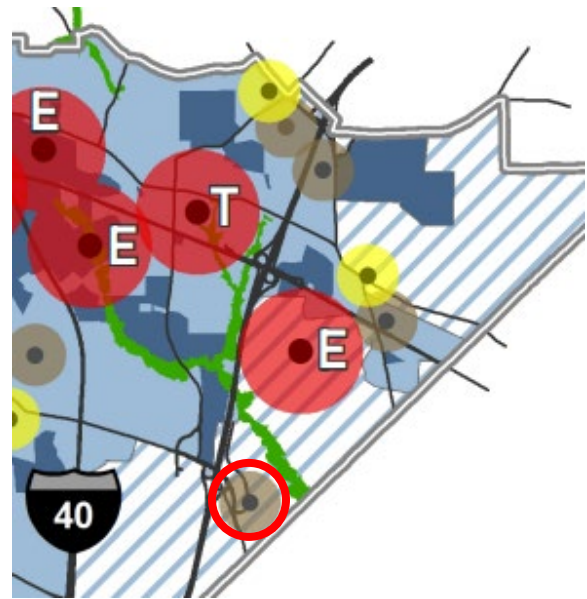
- a. In conjunction, Page 61 - change parcels there from Level Two to Level Three or Four. (shown below – second map set)

*Note: Need to fix mapping error as depicted below.*

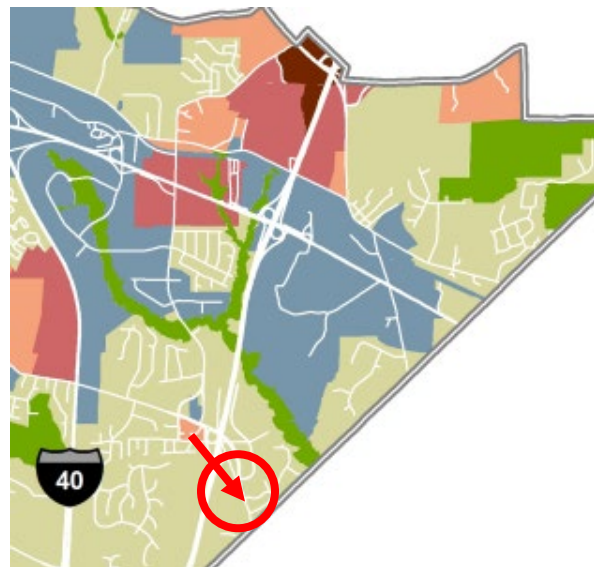
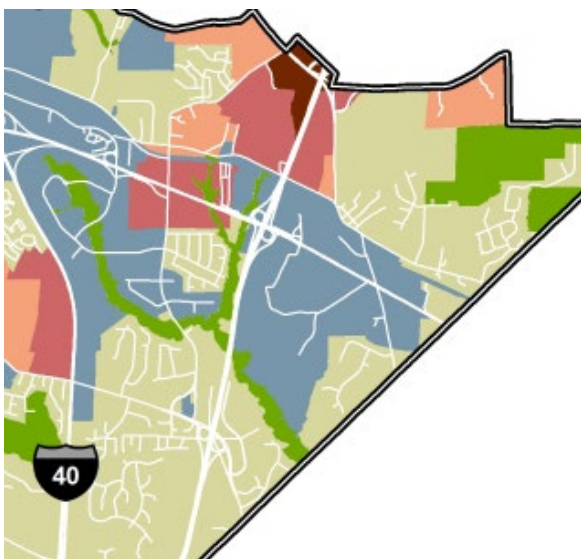
- b. In conjunction, Page 235 – change parcels there from Tier 3R to Tier 3NR. (not shown)



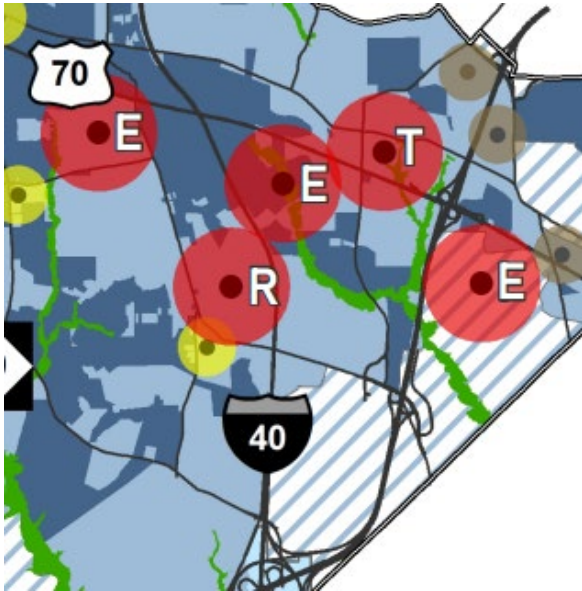
v.1



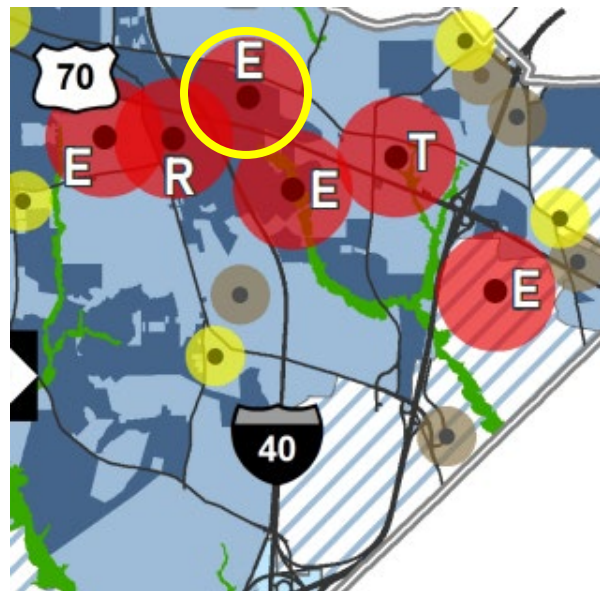
v.2 and 3



8. Page 35 – add Regional Activity Center (Employment) to Greenfield North to acknowledge existing employment center.

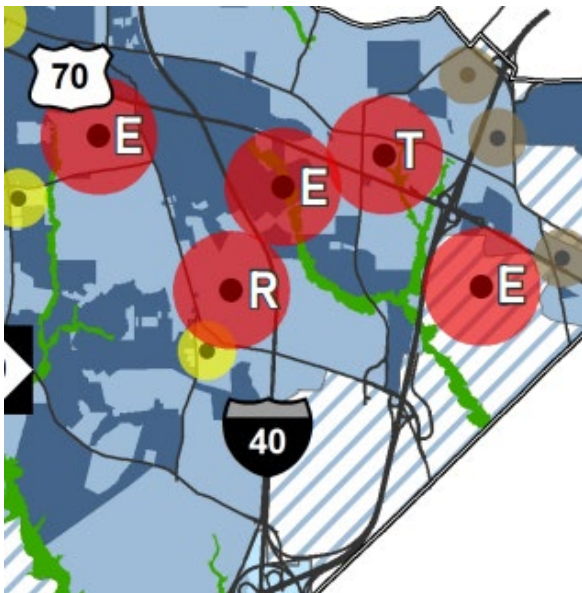


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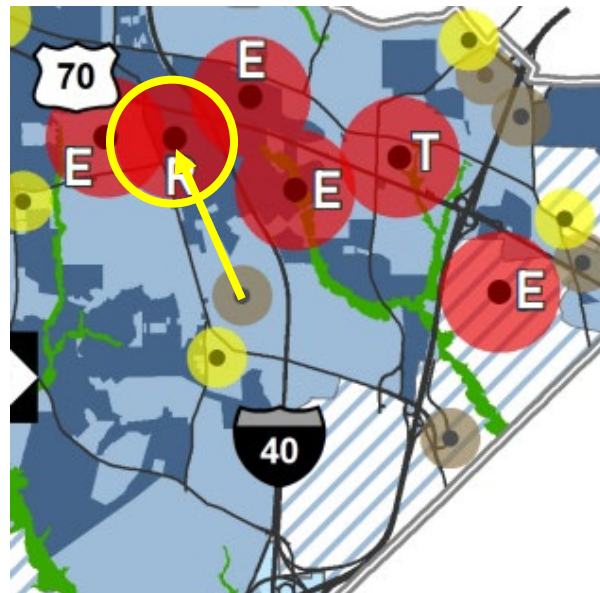


v.2 and 3

9. Page 35 – add Regional Activity Center (Retail) to White Oak Shopping Center to acknowledge existing retail center.



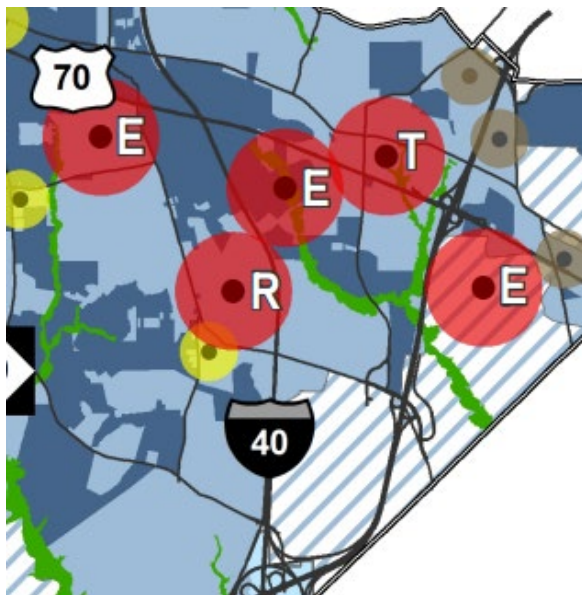
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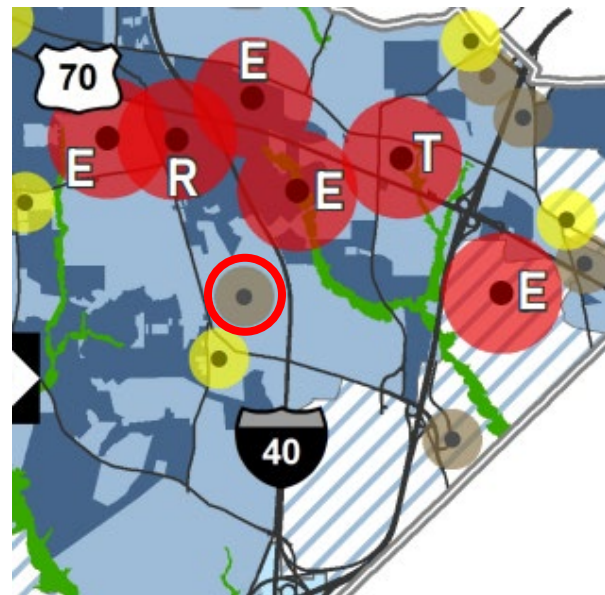
v.2 and 3

10. Page 35 – change Regional Activity Center (Retail) on Future Timber Drive East extension to Community Activity Center.

*Note: Keep a source of community services in the area to serve growing neighborhoods and apartment communities in this part of Garner and continue to support the level of change called for in the Development Change and Intensity map along the extension of Timber Drive East. Upon further review, staff recommends keeping this as a Community Activity Center, as Transit Activity Centers are specifically described to complement Bus Rapid Transit or Commuter Rail service. Community Activity Centers are generally envisaged to be the same overall size and intensity of Transit Activity Centers, and are naturally good candidates for supporting regular bus service (as would be the Neighborhood Activity Centers in yellow). The scale of this center would also be influenced by the designation as Type 4B and 4C intensity. An alternative edit might be to enlarge the Community Activity Center nodes graphically.*

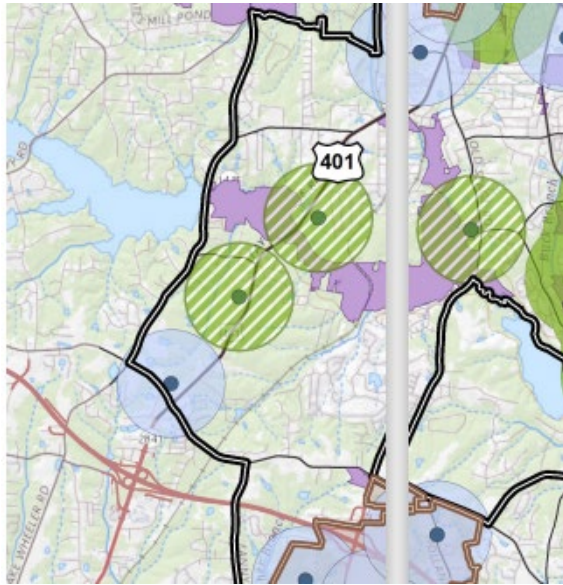


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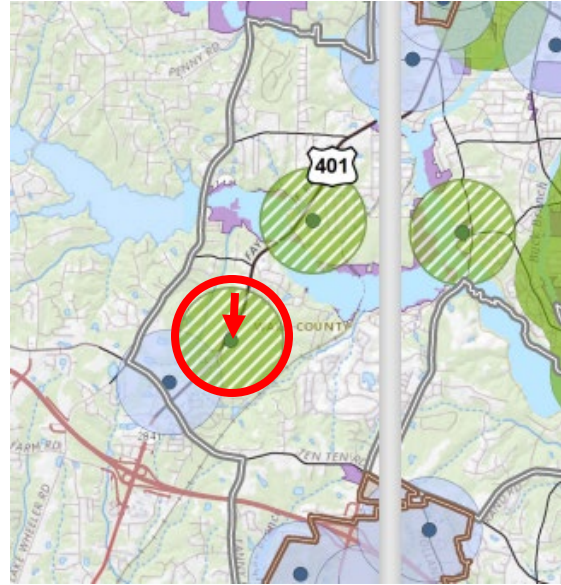


v.2 and 3

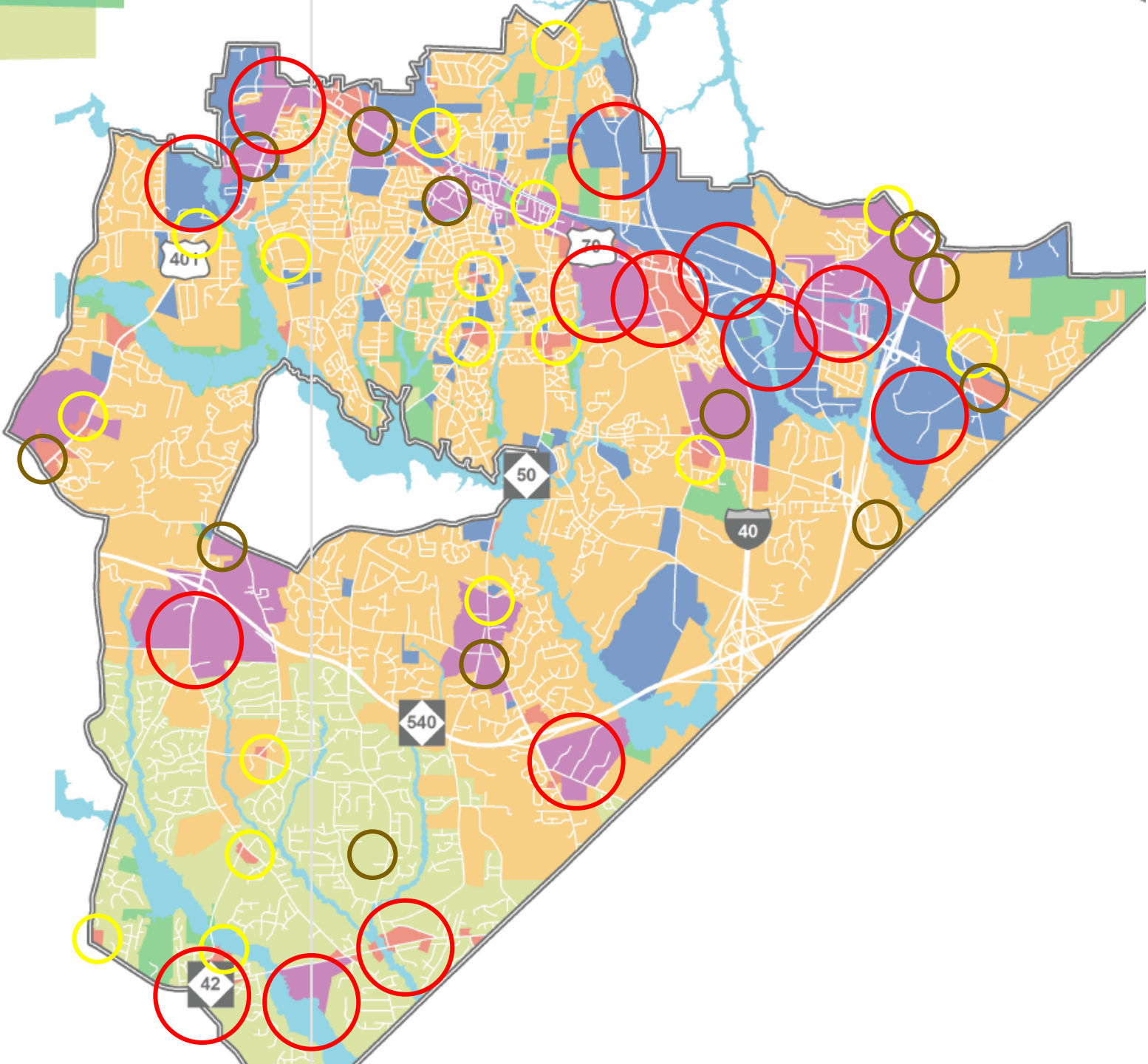
11. Page 240 – shift Future TOG Programmed Park on 401 just south of Manor Ridge Drive about 0.5 miles further south to take advantage of more land opportunities and be centered better within the PRCR Master Plan’s park land search area for this corner of Garner.



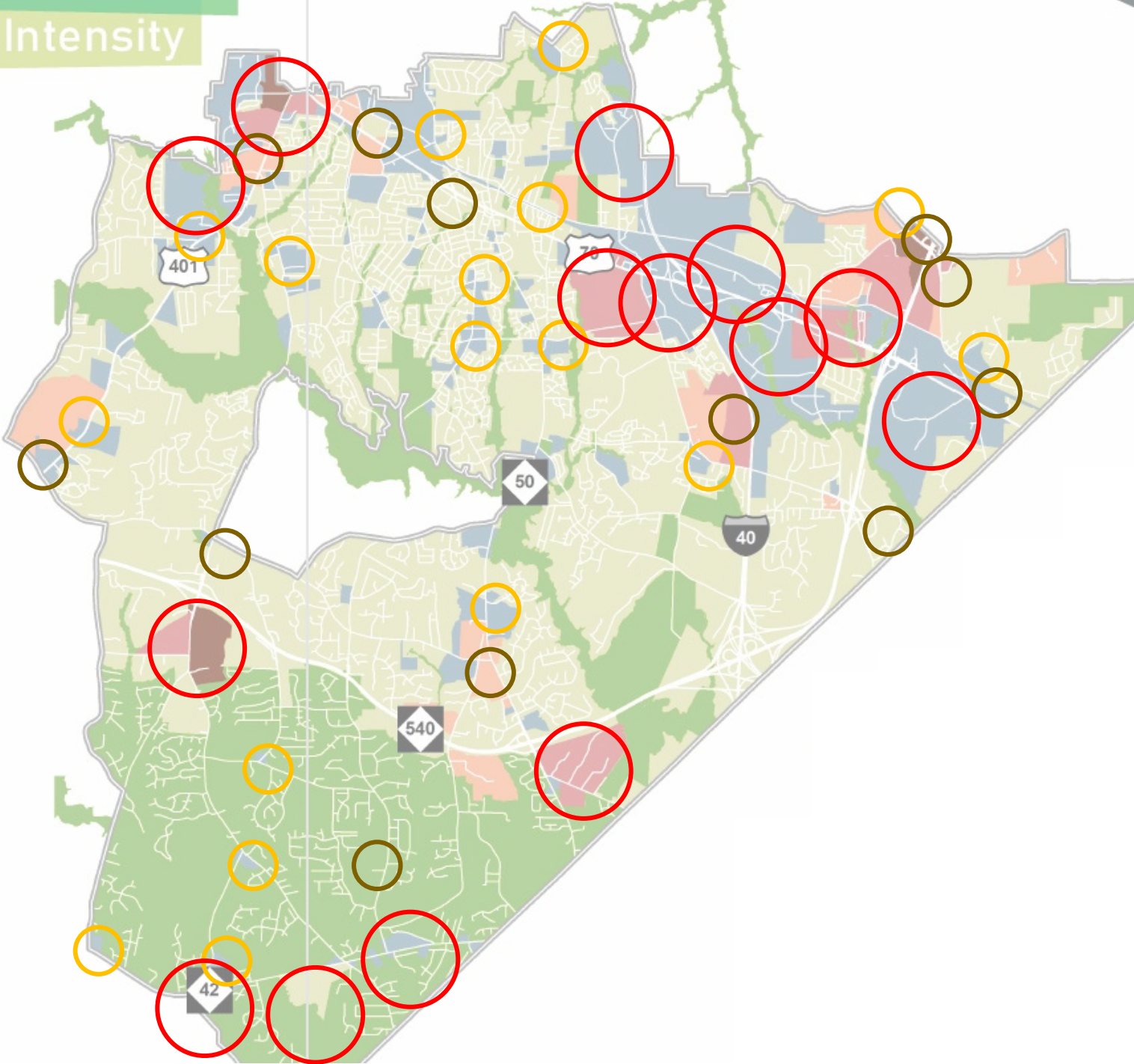
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v.2 and 3



Intensity





Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: September 19, 2023		
Subject: Town Hall Annex Project and Budget Update		
Location on Agenda: Old/New Business		
Department: Engineering/Budget/Finance		
Contact: Lisa Rodriguez, Senior Engineering Project Manager		
Presenter: Lisa Rodriguez, Sara Warren, David Beck		
Brief Summary:  Update on the design and budget of the Town Hall Annex renovation project.		
Recommended Motion and/or Requested Action: Provide staff direction on the approach for the completion of TH Annex project.		
Detailed Notes: Since the original study in 2021, the scope of the Town Hall Annex renovation has expanded to meet the needs of a growing Town staff and to accommodate necessary improvements for regulatory compliance. Staff brings possible approaches to Council for completion of the project, including (1)the full build approach (recommended), (2)the full build approach with value engineering options applied, (3) partial renovation. The full build approach requires a budget of \$5,069,908. The Town Hall Annex budget currently in the CIP is \$3.44 million.		
Funding Source: Installment financing		
Cost:	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	LH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TO: John Hodges, Assistant Town Manager  
Leah Harrison, PE, Town Engineer

FROM: Lisa Rodriguez, EI, Senior Engineering Project Manager

DATE: September 19, 2023

SUBJECT: Town Hall Annex Budget

**BACKGROUND**

The Town acquired property within the vicinity of Town Hall to accommodate staff growth. The building located at 109 Forest Hills Drive is programed for Engineering, IT and Communications. The project involves design and construction of a new site access road, building renovations, furnishings, fixtures, and equipment to support staff needs. Since the study phase completed 18 months ago, Town staff re-visited the plan and expanded the design to meet future Town growth needs, apply lessons learned, and address additional field discoveries that were found during design development.

The original study that was completed in December 2021 included renovations to accommodate 28 occupancies, one conference room, a site access road and minimum exterior site construction. At the time, the cost estimate was \$2 million for construction. However, based upon current growth needs for IT and Engineering, the design was amended to accommodate five-year growth. The amended design accommodates 37 occupancies, three conference rooms, two additional restrooms, a site access road, a reduction of impervious surface to meet stormwater requirements and exterior improvements needed for ADA, a dumpster and generator enclosure.

To fund this project, the Town approved installment financing of \$6.1 million of which \$2.0 million would be used to cover the cost of the renovation while the remaining \$4.1 million would be used to fund prior expenses which included \$2.3 million for purchasing 109 Forest Hills, \$750,000 for purchasing the former bank building, and an estimated \$1.0 million for land to expand the Public Works campus.

Understanding the need to accommodate growth, staff recommended the additional scope and included an additional \$1.44 million in the FY24-28 CIP for a total budget of \$3.44 million. As a result, \$2.61 million of the anticipated \$4.1 million would only be available for reimbursement to the general fund.

**Update Project Scope and Budget**

The new scope and budget reflect the following:

- Renovation Expansion: after re-visiting growth plans, the renovation expanded to accommodate the 5-year growth of the IT and Engineering departments. The future need of IT includes a Public Safety Division and Engineering will potentially expand their Capital Project, Inspections and Stormwater divisions. The new design accounts for the potential growth to 37 staffed personnel.
- Escalation: the study estimate was completed over 18 months ago and there have been significant construction cost increases in that time.

- **Generator:** to help accommodate an IT server room and an Emergency Operations Center (EOC), the generator was upsized with accompanied features such as the pad, an enclosure for screening and sound buffer. This will allow for the Town to protect the server room systems and accommodate staff to work in the building during emergencies. After discussing with various stakeholders, we propose a natural gas generator and new connection line to provide a self-sufficient system in case of emergency. This will be the first natural gas generator for the Town.
- **Code Compliance and Town Standards:** due to the age of the building and systems in place, all HVAC, electrical, and plumbing will need to be replaced to meet current code compliance and standards. Along with new building compliance, there are ADA standards that need to be met. HVAC and electrical together make up about 40% of the total costs. This cost includes the addition of 39 tons of HVAC from the study, new 1000A panel, and new 1000A ATS.
- **Utility Needs:** adding conduit and fiber to connect the new building to Town Network. In addition to adding connection to the Town’s private network line, internet and data cabling is required.
- **Field Discoveries:** after additional site visits, an insufficient water line was discovered, leading to a full replacement of the domestic water line. Mechanical engineers acknowledge the HVAC systems are designed with a smaller commercial set-up and not efficient for larger commercial environment. If this set-up remains, the Town will have seven smaller units to maintain and experience heating/cooling issues inside the building.
- **Additional design efforts to accommodate scope changes.**

**Project Approach**

There are a few approaches that can be taken to complete the project, (1) full build approach, (2) full build approach with value engineering (VE) options applied, (3) build for IT only.

For the full build approach, the total project budget becomes:

DESCRIPTION	COST
PROFESSIONAL SERVICES	\$277,400
IT RELATED COST	\$266,500
GENERATOR	\$400,000
FF&E	\$198,562
CONSTRUCTION	\$3,287,968
CONTINGENCY	\$639,478
<b>TOTAL</b>	<b>\$5,069,908</b>

If the full build approach is not feasible, the following are potential value engineering options, each have pros and cons that come with the removal of that item:

**A) Remove Access Road (net savings \$200,000)**

Removing the access road will reduce the cost of construction and provides an opportunity to space plan for future design and construction of the Town Hall campus.

However, removing the access road will limit the accessibility of Engineering by the public and accessibility for Town staff that travel to Town Hall daily. The removal of the road will still require adding a pedestrian walking path and additional public wayfinding to address those concerns. The design of a ped path will require re-design, increase the project timeline, and have cost implications.

**B) Reduce Size of Generator to serve only IT (savings \$100,000)**

The current design accounts for a generator that will serve the whole building. We can consider reducing the size of the generator to serve only IT. In the longer term, this limits the emergency power supply to half the building and would limit the potential use as an Emergency Operations Center (EOC).

**C) Phase Furnishing (savings \$70,000)**

This additional cost savings option, though it is minimal, will allow furniture to be purchased as positions are added to both IT and Engineering. However, not outfitting the entire facility with furniture as part of the project may be more expensive in the long-run and/or may result in furniture that is not consistent with the initial purchased furniture.

**D) Retrofit Only IT Side (savings \$2 Million)**

Retrofitting half of the Town Hall Annex will address the current critical needs of IT by building sufficient workspace as well as appropriate space for IT infrastructure and equipment that is required to support the Town. This option provides the most cost savings at \$2 million.

However, it does not address other space needs that are occurring in the development services departments such as Engineering, Planning, and Inspections. Delaying the renovation of half the facility will further impede on space needs for Planning and Inspections and displaces Engineering staff members who currently occupy the building. There are also long-term cost savings associated with renovating the entire facility at one time and while the facility is completely vacant as to not disrupt service delivery.

Town staff recommends reviewing the additional needs and determining the best approach considering the tradeoffs. The following approaches can be taken:

**1) Full Build Approach**

Pursue a full renovation of the building to meet 5-year growth of departments that are currently programmed for the space and access road. This direction will require increasing the overall budget from \$3,440,529 to \$5,069,908, requiring an additional \$1,629,379 in funding. Completing the full renovation of the building will prevent the need to construct while staff occupies the space and addresses immediate needs of growing departments.

**2) Full Build Out with VE Deductions**

Pursue a full renovation and deduct value engineering options A, B, C. This approach prioritizes current Town needs, allows for future department growth, while eliminating items that can be funded in a few years. The budget with those deductions applied becomes \$4,699,908, requiring additional \$1,259,379 in funding now.

**3) Build IT Only**

This approach will design for the future but phase construction. Only fund construction for the IT side to fulfill the critical need of that department and for the protection of the server equipment.

This does not address other departments with immediate staff needs but will allow the project to stay within the current budget. This option is approximately \$3,069,908. This option will impact the growth in Engineering, Planning and Inspections staff so additional building space will be needed in the near future and a plan for creating workspace for current Engineering staff occupying the annex building will be needed immediately.

## **FINANCIAL IMPLICATIONS**

The Town's debt model includes a \$6,050,000 installment financing for a variety of projects including the Town Hall Annex project. The original estimate dedicated \$2.0 million for renovations with the remainder of the financing proceeds going back into fund balance to reimburse for prior project expenditures. Those prior expenditures are \$2.3 million for purchasing 109 Forest Hills, \$750,000 for purchasing the former bank building, and an estimated \$1.0 million for land to expand the Public Works campus. The current renovation estimates will require using nearly all the debt proceeds for that purpose. The Town would be able to return approximately \$1.0 million to fund balance more than \$3.0 million less than the amount originally anticipated.

The Town's unassigned fund balance as a percentage of expenditures has been trending downward for several years. Factors contributing to this include overall expenditures growing more rapidly than the fund balance surplus as well as fund balance being utilized for a number of one-time capital expenditures. The Town's financial policies call for a target unassigned fund balance of 30%. At the close of fiscal year 2021-2022, the balance was 30.8%. Unexpended ARP funds have provided a temporary boost to fund balance in FY 2022-2023, but the percentage will gradually decrease as ARP funds are utilized.

The debt model most recently shared by Davenport shows the Town's capacity for additional debt is low over the next several years. The Revenue Savings Plan will be utilized to help pay existing debt requirements which leaves a small margin for any new debt. As a result, it does not seem feasible for the Town to take on a larger debt burden for the Town Hall Annex project.

It is important to consider the broader needs of the Town in terms of growth and associated space needs. While the acquisition and renovation of the Town Hall Annex will address immediate space needs, additional office and workspace is required for all Town departments. As the Town continues to grow, Council has indicated the need to add FTEs annually to continue to meet the service demands of the growth. Currently, the Town does not have adequate space to accommodate the additional staff projected in the multi-year model.

Additionally, as project costs continue to escalate, the ability of the Town to build up its fund balance is further limited. This ultimately impacts the amount of current and future borrowing of the Town for capital projects. As a best financial management practice, Council should continue to look at each financial investment on capital projects collectively as it impacts all capital projects and the future capability of financially completing other projects.

## **STAFF RECOMMENDATION**

Staff recommends the full build approach. This will meet immediate needs of the growing departments and provide a direct drive for the public and Town Staff. The total cost of this approach is \$5,069,908, requiring additional \$1,629,379 in funding. Based on a financing amount of \$6,050,000 the Town could fund the proposed renovations and return just under \$1 million to its fund balance to offset prior one-time uses.

Beyond the growth needs addressed as part of the Annex renovations, the Town's multi-year model anticipates an addition of 8-10 staff annually. Based upon these projections, the Town will need look for additional space for the growing space needs in Town Hall as well as addressing disparate staff locations and growth needs for Parks, Recreation and Cultural Resources which could include the continued development of a Town Hall Campus in the current location. As part of the FY25-29 CIP staff will look to identify funding for a space and growth needs study.

Please review the options and confirm a direction for the project team. The project team hopes to progress to Construction Drawings by the end of the year then we will bid the project and anticipate a budget request from LGC to occur March/April 2024.

# Reports



# Talk of the TOWN

## Council Requests & Updates

September 19, 2023

*This monthly report provides an update on Council requests, items submitted on the Garner Info app, and quarterly development statistics.*

### **Bus Shelter for Garner Senior Center (Behringer)**

GoRaleigh installed a covered bus shelter with a trash can at the bus stop between the Senior Center and Garner Rec Park. Bus riders now have shelter from the elements and a place to dispose of trash while waiting for the bus.

### **Signage Update (Behringer)**

The All-America City sign at Garner Rec Park has been cleaned by Public Works and looks new. Extra strong cleaner was needed to remove stains caused by the weather.

### **Broken Utility Boxes (All)**

Council members previously reported broken or open utility boxes or pedestals around Town. Over a dozen damaged locations were cataloged by staff and sent to AT&T and Spectrum for identification and repair. Both utility providers have responded, and most locations reported have been repaired or repair is underway. If you observe a damaged box or pedestal, please enter it into GarnerInfo or email to [nov@garnernc.gov](mailto:nov@garnernc.gov).

### **Traffic Signal on New Rand Road (Vance)**

The NCDOT division traffic office met with the signal group, and they are going to evaluate the signal. Engineering continues to reach out for updates.

### **Meadowbrook Dam Improvements (All)**

The Meadowbrook Dam Improvements RFP was issued on Sept. 7 and closes on Oct. 5. A pre-bid virtual meeting for prospective bidders was scheduled for Sept. 18. PRCR expects to bring the contract award to Town Council in November (as a consent agenda item).

### **Property Maintenance Updates (Behringer and Singleton)**

Inspections and Planning staffs have been busy with several property maintenance issues. The property at 211 Benson Road has been mowed. The owner cleaned up the solid waste items at 1412 Vandora Springs Road and staff have verified that the vehicles on this site do not meet junk vehicle criteria. Inspections and Planning are working to resolve the issues at Hilltop Ave and Dupree Street.

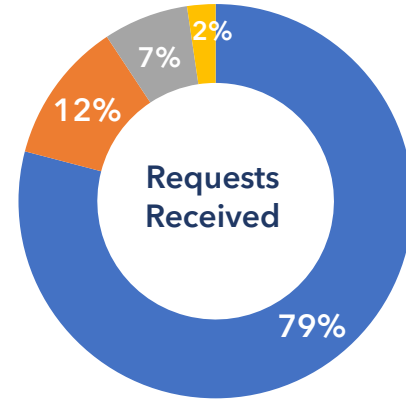


Garner Info Monthly Analytics

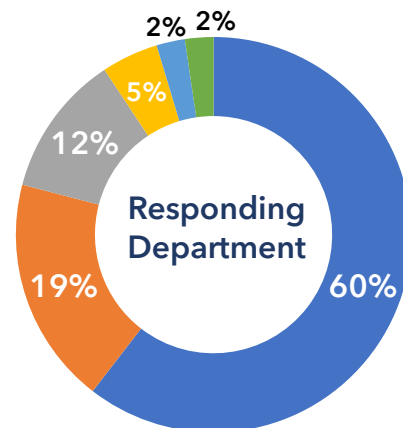
August 15 – September 11, 2023 – 43 Total Requests

Request by Type

Street Sign Maintenance	6	13.0%
Misc. - Streets	5	10.9%
Dead Animal Pickup	3	6.5%
Tall Grass/Weeds (Private Property)	3	6.5%
Pothole/ Pavement Repair	3	6.5%
Misc. - Parks / Town Property	3	6.5%
Talk to an Officer Non-Emergency	2	4.3%
Trash/Solid Waste (Private Property)	2	4.3%
Garbage	2	4.3%
Litter Pickup	2	4.3%
Roadway Obstruction	2	4.3%
Streetlight Problem	2	4.3%
Trim Vegetation	2	4.3%
Zoning Use	1	2.2%
Pipe and Storm Drain Maintenance	1	2.2%
Sign Violation	1	2.2%
Yard Waste/ Loose Leaves	1	2.2%
Parking	1	2.2%
Rollout Container	1	2.2%
Grounds/ Trail Maintenance	1	2.2%



Completed Submitted In Progress Received



Public Works Inspections Police  
Planning Engineering Unassigned