

# Town of Garner



Town Council Meeting  
October 5, 2023

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

**Town of Garner  
Town Council Regular Meeting Agenda  
October 5, 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: Mayor Ken Marshburn
- C. INVOCATION: Mayor Ken Marshburn
- 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 Board 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

- 1. Native American History Month  
Presenter: Ken Marshburn, Mayor

- G. CONSENT

- 1. LASSII Stormwater Grant Acceptance ..... Page 7  
Presenter: Leah Harrison, Town Engineer

The Division of Water Infrastructure has offered the Town of Garner a \$400,000 stormwater planning grant funded by the American Rescue Plan Act. The resolution herein is required to accept the grant funding.

Action: Consider approving resolution to accept grant funding and authorize the Town Manager to execute acceptance documents.

- 2. Revision to the Council 2023 Meeting Schedule ..... Page 12  
Presenter: Rodney Dickerson, Town Manager

Request to change Council's regular meeting schedule from October 31st to October 30th to accommodate the Town's Trick or Treat the Trail event on October 31st. The Work Session would move from Tuesday to Monday and start at 6:00 p.m.

Action: Consider amending Council's 2023 meeting schedule, Resolution (2023) 2525a.

3. Stop Conditions - Georgia's Landing Ph 1 ..... Page 14  
Presenter: Leah Harrison, Town Engineer

The Engineering Department is seeking approval of twenty stop conditions in Georgia's Landing Ph 1 to serve as basic traffic control measures.

Action: Consider recommended Stop Conditions.

4. Surplus Property ..... Page 21  
Presenter: David Beck, Finance Director

Several vehicles have recently been taken out of service and replaced with new ones as part of the VERT program. The vehicles that have been replaced will be sold as surplus property with the proceeds being put back into VERT.

Action: Consider approving Resolution (2023) 2545.

5. Amended Resolution for Support of Affordable Housing Construction ..... Page 23  
Presenters: John Hodges, Assistant Town Manager & Terri Jones, Town Attorney

On November 7, 2022, Council adopted resolution (2022) 2513 to authorize support for the Tryon Station affordable housing project. Since then, Council has committed to an increase in the amount of the financing support for the project. The amended resolution which follows, (2022) 2513a, authorizes the additional financing and also authorizes the Town Manager and Town Attorney to retain counsel to represent the Town in the closing.

Action: Consider approving Resolution (2022) 2513a.

## H. PUBLIC HEARINGS

1. Tier 2 Conditional Rezoning # CZ-PD-22-03, 401 Crossing ..... Page 30  
Presenter: Ashley Harris, Planner

Tier 2 conditional rezoning request submitted by the McAdams Company to rezone approximately 72.24 +/- acres from Wake County Residential 40 Watershed (R-40W) to Town of Garner Planned Unit Development (PD C15) Conditional for a mixed-use development of a maximum of 300 single-family residential units (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 and may further be identified as multiple Wake County PIN(s) - see staff report for full list.

Action: Consider closing public hearing to refer case to Planning Commission for consistency review and recommendation.

2. Special Use Permit # SUP-23-01, Sully's Golf and Gather ..... Page 137  
Presenter: Joseph Linsky, Planner

Special use permit request (SUP-23-01) submitted by Sully's Golf and Gather, LLC, to establish a 10,800 square foot indoor entertainment facility in an existing building on 1.8 +/- acres, zoned Neighborhood Mixed Use (NMX C10) Conditional, at the corner of Timber Drive and Woodland Road. The site is located at 2311 Timber Drive and may be further identified as Wake County PIN# 1701605416.

Action: Consider motion to approve special use permit with project-specific conditions

I. NEW/OLD BUSINESS

J. COMMITTEE REPORTS

K. MANAGER REPORTS

- The Garner Fireman's Festival is on Saturday, October 7<sup>th</sup> at 11:00 a.m. at Fire Station 1 (Benson Road & Main Street).
- Friday Family Flicks is showing Guardians of the Galaxy Vol. 3 on Friday, October 13<sup>th</sup> at 7:00 p.m. on the lawn of the Garner Recreation Center.
- The GPAC Playhouse will be showing the 'Reluctant Dragon' on October 21<sup>st</sup> at 10:00 a.m. and 2:00 p.m. The first showing is sensory friendly.

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURN



Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Proclamation recognizing American Indian Heritage Month		
Location on Agenda: Presentations		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Ken Marshburn, Mayor		
Brief Summary: Mayor Marshburn will present a Proclamation recognizing American Indian Heritage Month		
Recommended Motion and/or Requested Action: presentation only		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	sg	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

# Proclamation

## AMERICAN INDIAN HERITAGE MONTH - 2023

**WHEREAS**, the theme of North Carolina's American Indian Heritage Month for 2023 is "Many Tribes-Many People; and

**WHEREAS**, there are eight state-recognized tribes located in the state of North Carolina and they are: the Coharie, the Eastern Band of Cherokee, the Haliwa-Saponi, the Lumbee, the Meherrin, the Occaneechi Band of the Saponi Nation, the Sappony, and the Waccamaw-Siouan; and

**WHEREAS**, North Carolina is home to four Urban Indian Organizations that hold membership on the North Carolina Commission of Indian Affairs; and they are: the Cumberland County Association for Indian People, the Guilford Native American Association, the Metrolina Native American Association, and the Triangle Native American Society; and

**WHEREAS**, there are sixty-three state-recognized tribes located in the United States, representing eleven states, and

**WHEREAS**, there are five hundred and seventy-four Federally recognized tribes located in the United States, representing eleven states; and

**WHEREAS**, today there are more than one hundred thirty thousand North Carolinians who identify as American Indian in North Carolina, according to the 2020 U.S. Census; and

**WHEREAS**, the American Indians reside in all 100 counties of North Carolina, as per the 2020 US Census; and

**WHEREAS**, the American Indian population in North Carolina represents the second-largest American Indian population east of the Mississippi River and the seventh-largest American Indian population in the United States.

**NOW, THEREFORE**, I, Ken Marshburn, Mayor of the Town of Garner, proclaim November 2023 as "AMERICAN INDIAN HERITAGE MONTH" in the Town of Garner and commend its observance by our citizens.



*In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the Town of Garner, North Carolina to be affixed this the 5<sup>th</sup> day of October 2023.*

*Ken Marshburn*  
Mayor Ken Marshburn

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: LASSII Stormwater Grant Acceptance		
Location on Agenda: Consent		<input type="checkbox"/>
Department: Engineering		
Contact: Leah Harrison, Town Engineer		
Presenter: Leah Harrison, Town Engineer		
<p><b>Brief Summary:</b></p> <p>The Division of Water Infrastructure has offered the Town of Garner a \$400,000 stormwater planning grant funded by the American Rescue Plan Act. The resolution herein is required to accept the grant funding.</p>		
<p><b>Recommended Motion and/or Requested Action:</b> Resolution (2023) 2546 Approve resolution to accept grant funding and authorize Town Manager to execute acceptance documents.</p>		
<p><b>Detailed Notes:</b></p> <p>The grant funds will be used for the Stormwater Inventory and Assessment Project previously authorized and will offset use of 2021 bond funds needed for the project. Funds were included as revenue in the 2024 Capital Improvement Plan.</p>		
<p><b>Funding Source:</b> N/A</p>		
Cost: N/A	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" 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:	LH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**RESOLUTION NO. (2023) 2546**

**RESOLUTION BY GOVERNING BODY OF RECIPIENT**

**WHEREAS,** the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs, and

**WHEREAS,** the North Carolina Department of Environmental Quality has offered LASII\_ARPA funding in the amount of **\$400,000** to perform the work detailed in the submitted application, and

**WHEREAS,** the **Town of Garner** intends to perform said project in accordance with the agreed scope of work,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GARNER:**

That the **Town of Garner** does hereby accept the ARPA grant offer of **\$400,000**; and

That the **Town of Garner** does hereby give assurance to the North Carolina Department of Environmental Quality that any *Conditions* or *Assurances* contained in the *Funding Offer and Acceptance* (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

That **Town Manager Rodney Dickerson** and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this the 5<sup>th</sup> day of October, 2023 at Garner, North Carolina.

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Ken Marshburn, Mayor

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ATTEST: Stella Gibson, Town Clerk



**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER INFRASTRUCTURE**

**Funding Offer and Acceptance – Stormwater Planning Grant**

<b>Legal Name and Address of Award Recipient (i.e., Applicant):</b> Town of Garner 900 7th Avenue Garner, North Carolina 27529	<b>Project Number:</b> SRP-SW-ARP-0074 <b>UEID#:</b> NRJHFCQK4AH6 <b>Assistance Listing Number:</b> 21.027	
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**Funding Program:**

	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Drinking Water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Additional Amount for Funding Increases
Stormwater	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Previous Total
Wastewater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Total Offered
American Rescue Plan Act (ARPA) Grant	<input checked="" type="checkbox"/>	--	--	\$400,000

**Project Description:**

Stormwater Asset Inventory and Condition Assessment for Disadvantaged Areas


<b>Total Financial Assistance Offer:</b>	<b>\$400,000</b>
Total Project Cost:	\$400,000
<b>Estimated Closing Fee:</b>	<b>\$ - 0 -</b>

Pursuant to North Carolina Session Law 2021-180:

- The Applicant is eligible under Federal and State law;
- The Project is eligible under Federal and State law; and
- The Project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure  
North Carolina Department of Environmental Quality**

DocuSigned by:  -----8300A872077B4C5... Signature	8/24/2023 ----- Date
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On Behalf of: **Town of Garner**  
 Name of Representative in Resolution: \_\_\_\_\_  
 Title (Type or Print): \_\_\_\_\_

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

----- Signature	----- Date
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**STANDARD CONDITIONS**

1. Acceptance of this funding offer does not exempt the Applicant from complying with requirements stated in the U.S. Treasury's [Final Rule](#) for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the [SLFRF Compliance and Reporting Guidance](#) (not explicitly referred to in this document) and any future requirements implemented by the U.S. Treasury.
2. Applicants shall comply fully with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. The Applicant is responsible for ensuring that any lower-tier-covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The Applicant is responsible for further requiring the inclusion of a similar term or condition in any subsequent, lower-tier-covered transactions. Applicants may access suspension and debarment information at: <http://www.sam.gov>. This system allows applicants the means to perform searches determining whether an entity or individual is excluded from receiving federal assistance.
3. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects also must adhere to North Carolina (NC) State law, specifically NC General Statute (NCGS) §143-64.31, Article 3D, Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS §143-64.32 cannot be used to exempt funding recipients (i.e., applicants) from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.
4. Local government units designated as "distressed" must complete the associated requirements of NCGS §159G-45(b).
5. Funds made available by the ARPA to the entity accepting the funds in this document (i.e., the Applicant) must only cover eligible costs incurred on or after March 3, 2021. Funds that are not disbursed by December 31<sup>st</sup>, 2026, will no longer be available for the project. Unused federal funds will revert from the State of North Carolina to the U.S. Treasury.

**ASSURANCES**

1. The Applicant intends to complete the project in accordance with the Application approved for financial assistance by the Division of Water Infrastructure.
2. The Applicant is responsible for paying for those costs ineligible for ARPA funding including, but not limited to, any amount in excess of the amount of this funding offer. The Applicant agrees to establish and to maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records shall be maintained during the completion of the project, and these records shall be retained and made available for a period of at least three (3) years following completion of the project.
3. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with NCGS §159-34. Partial disbursements on this Award will be made promptly, upon request, subject to adequate documentation of incurred eligible costs, and subject to the Applicant's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its professional services' provider(s), and to retain only such amount(s) as allowed by NCGS.
4. The Applicant shall expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State.
5. Funds must be spent fully (i.e., fully reimbursed to the Applicant) by December 31st, 2026.

**Acknowledgement of Standard Conditions and Assurances**

The Applicant hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Applicant in the Application, and all documents, amendments, and communications filed with the Department of Environmental Quality by the Applicant in support of its request for financial assistance, shall be fulfilled.

.....  
Signature

.....  
Date

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Revision to the Council 2023 Meeting Schedule		
Location on Agenda: Consent <input type="checkbox"/>		
Department: Administration		
Contact: Rodney Dickerson, Town Manager		
Presenter: Rodney Dickerson, Town Manager		
Brief Summary:  Request to change Council's regular meeting schedule from October 31st to October 30th to accommodate the Town's Trick or Treat the Trail event on October 31st. The meeting would move from being on Tuesday to Monday and start at 6:00 p.m.		
Recommended Motion and/or Requested Action: Consider amending Council's 2023 meeting schedule, Resolution (2023) 2525a		
Detailed Notes: The amended meeting schedule is attached.		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



RESOLUTION NO. (2023) 2525a

A RESOLUTION OF THE TOWN OF GARNER TOWN COUNCIL ADOPTING THE  
2023 COUNCIL MEETING SCHEDULE

WHEREAS, by Resolution No. (2023) 2525, the Town of Garner Town Council adopted its 2023 Council Meeting Schedule pursuant to North Carolina General Statutes Section 143-318.12 and Section 2-16 of the Town Code of Ordinances;

WHEREAS, the Town Council has decided to change the date of its October Work Session and amends its regular meeting and work session schedule as follows:

MONTH	DATE	DAY	TYPE	TIME
<b>OCTOBER</b>	17	Tuesday	Regular	6:00 p.m.
	30	Monday	Work Session	6:00 p.m.
<b>NOVEMBER</b>	6	Monday	Regular	6:00 p.m.
	21	Tuesday	Regular	6:00 p.m.
	28	Tuesday	Work Session	6:00 p.m.
<b>DECEMBER</b>	5	Tuesday	Regular	6:00 p.m.
	19	Tuesday	Regular	6:00 p.m.

BE IT FURTHER RESOLVED that the Town of Garner Town Council adopts the above amended Meeting Schedule for 2023.

Duly adopted this the 5<sup>th</sup> day of October 2023.

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

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

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Stop Conditions - Georgia's Landing Ph 1		
Location on Agenda: Consent		
Department: Engineering		
Contact: Leah Harrison, Town Engineer		
Presenter: Leah Harrison, Town Engineer		
<b>Brief Summary:</b>  The Engineering Department is seeking approval of twenty stop conditions in Georgia's Landing Ph 1 to serve as basic traffic control measures.		
<b>Recommended Motion and/or Requested Action:</b> Consider recommended Stop Conditions.		
<b>Detailed Notes:</b> See attached memo, maps, and ordinance.		
<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 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:		



**Town of Garner**  
900 7<sup>th</sup> Avenue, Garner, NC 27529  
Phone 919-772-4688 \* Fax 919-662-8874  
www.GarnerNC.gov

TO: Rodney Dickerson, Town Manager  
FROM: Leah Harrison, PE - Town Engineer  
DATE: October 5, 2023  
SUBJECT: Stop Conditions within Georgia's Landing Ph 1

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The Engineering Department is recommending the following street intersections for stop conditions:

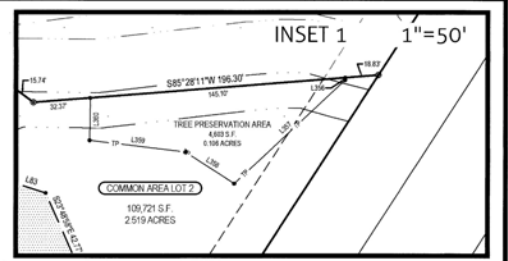
	<u>Stop Condition</u>	<u>Through Street</u>
1	Georgia's Landing Parkway	Fayetteville Road
2	Decatur Drive	Georgia's Landing Parkway
3	Fideaux Boulevard	Georgia's Landing Parkway
4	Mulberry Gap Way	Fideaux Boulevard
5	Southern Bloom Lane	Georgia's Landing Parkway
6	Blue Pine Drive	Georgia's Landing Parkway
7	Cloudland Lane	Georgia's Landing Parkway
8	Mulberry Gap Way	Fideaux Boulevard
9	Fideaux Boulevard	Georgia's Landing Parkway
10	Toccoa Avenue	Georgia's Landing Parkway
11	Savannah Moss Way	Georgia's Landing Parkway
12	Savannah Moss Way	Georgia's Landing Parkway
13	Red Myrtle Court	Savannah Moss Way
14	Red Myrtle Court	Savannah Moss Way
15	Merry Acres Avenue	Red Myrtle Court
16	Red Myrtle Court	Rock Maple Lane
17	Red Myrtle Court	Rock Maple Lane
18	Sweet Tea Way	Red Myrtle Court
19	Sweet Tea Way	Conly Drive
20	Rock Maple Lane	Conly Drive

These stop conditions will serve as basic traffic control measures. The Engineering Department recommends amending the Town Code of Ordinances to include these stop conditions. Please let me know if there are any questions.

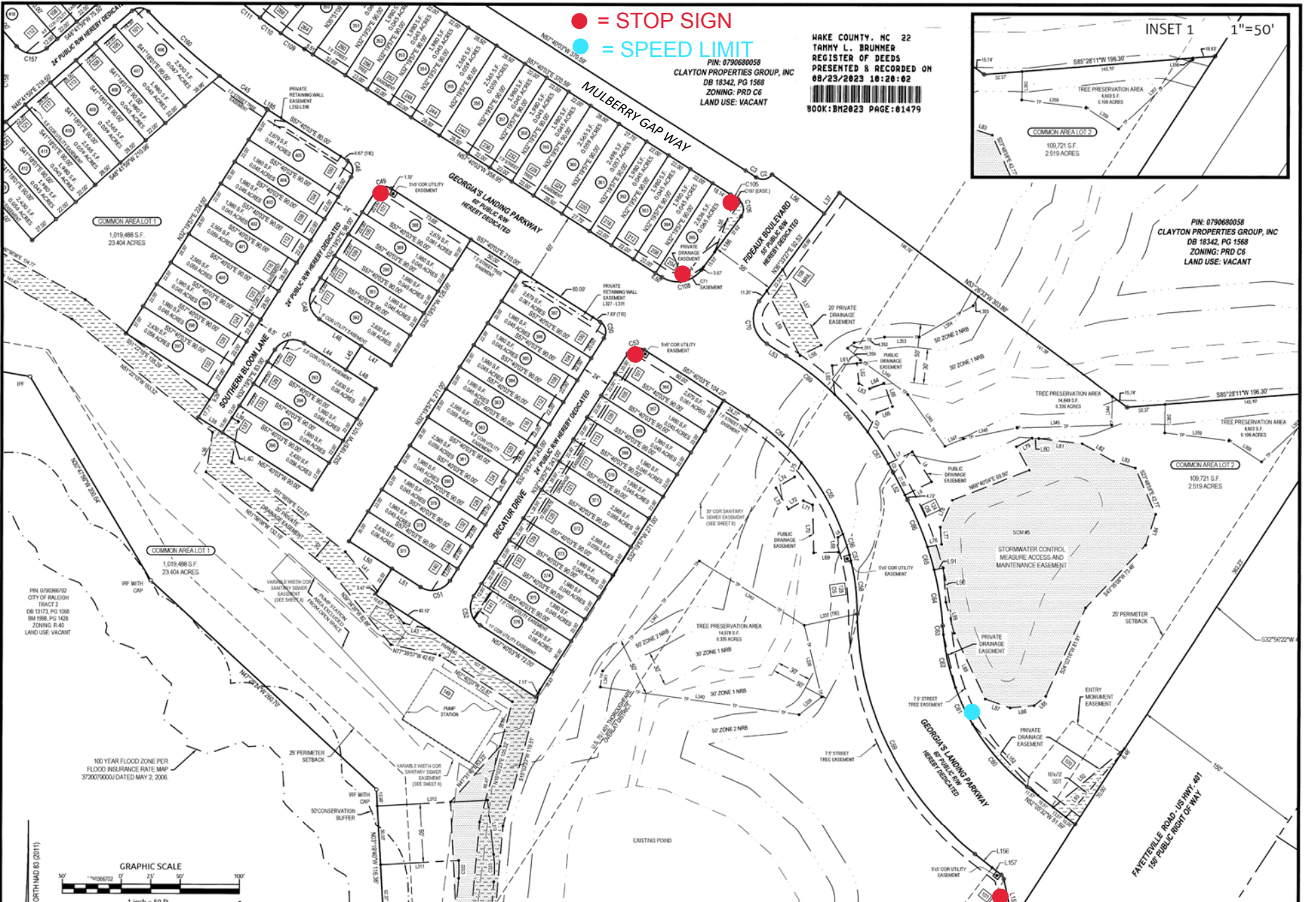
Attachment: Vicinity Map

● = STOP SIGN  
 ● = SPEED LIMIT

WAKE COUNTY, NC 22  
 TAMMY L. BRUNNER  
 REGISTER OF DEEDS  
 PRESENTED & RECORDED ON  
 08/23/2023 10:20:02  
 BOOK: BM2023 PAGE: 01479

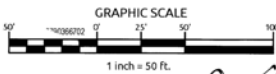


PIN: 0790680058  
 CLAYTON PROPERTIES GROUP, INC  
 DB 18342, PG 1568  
 ZONING: PRD C6  
 LAND USE: VACANT



PIN 0790680058  
 CITY OF RALEIGH  
 TRACT 2  
 DB 1312, PG 1058  
 BM 1996, PG 1428  
 ZONING: R-40  
 LAND USE: VACANT

100 YEAR FLOOD ZONE PER  
 FLOOD INSURANCE RATE MAP  
 3720079000 DATED MAY 2, 2006



*B.D.*  
*8-22-23*

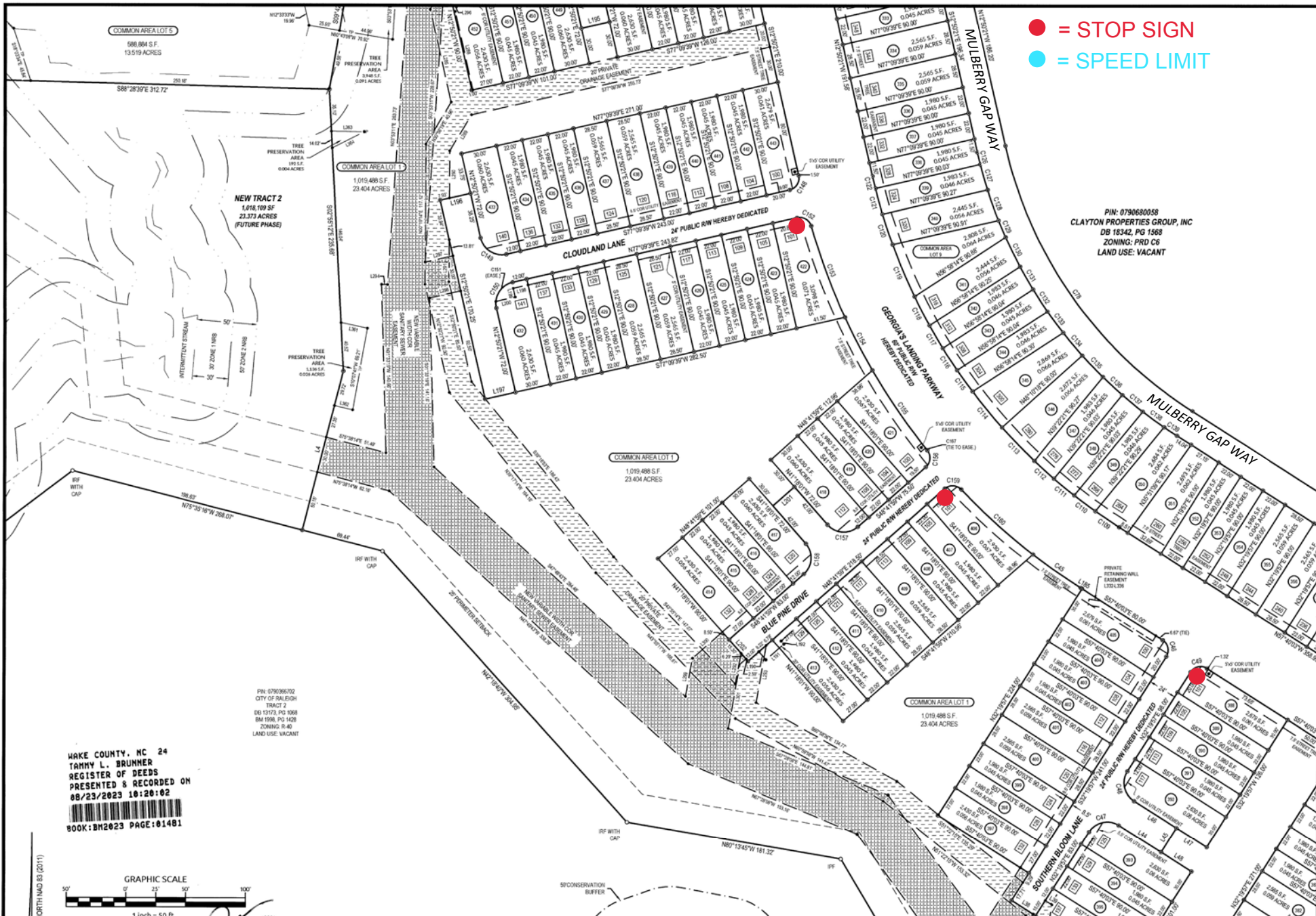
NORTH CAROLINA  
 PROFESSIONAL SURVEYOR  
 SEAL  
 L-4390  
 BENJAMIN E. DAYTON

REVISIONS:	DATE: 07/03/2023
	SCALE: 1" = 50'
	SURVEYED BY: JM
	DRAWN BY: MDF
	CHECK & CLOSURE BY: BED
	CAD FILE: GL Phase 1 Subdivision Plat.dwg
	PROJECT NO: 02210185.0
CASE #: FP-22-01	

FINAL SUBDIVISION MAP OF		
GEORGIA'S LANDING, PHASE 1		
TOWNSHIP: SWIFT CREEK	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N.: 0790583066, 0790496465	ZONING: PRD C6	SHEET: 7 of 14

**WithersRavenel**  
 Engineers | Planners | Surveyors  
 115 Mackenan Drive | Cary, NC 27511  
 t: 919.469.3340 | license #: F-1479 | www.wr.com



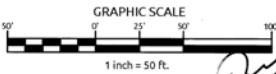


● = STOP SIGN  
● = SPEED LIMIT

PIN: 0790680058  
CLAYTON PROPERTIES GROUP, INC  
DB 18342, PG 1568  
ZONING: PRD C6  
LAND USE: VACANT

PIN: 0790366702  
CITY OF RALEIGH  
TRACT 2  
DB 13173, PG 0088  
BB 1398, PG 1428  
ZONING: R-40  
LAND USE: VACANT

WAKE COUNTY, NC 24  
TAMMY L. BRUNNER  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
08/23/2023 10:20:02  
BOOK: BK2023 PAGE: 01481

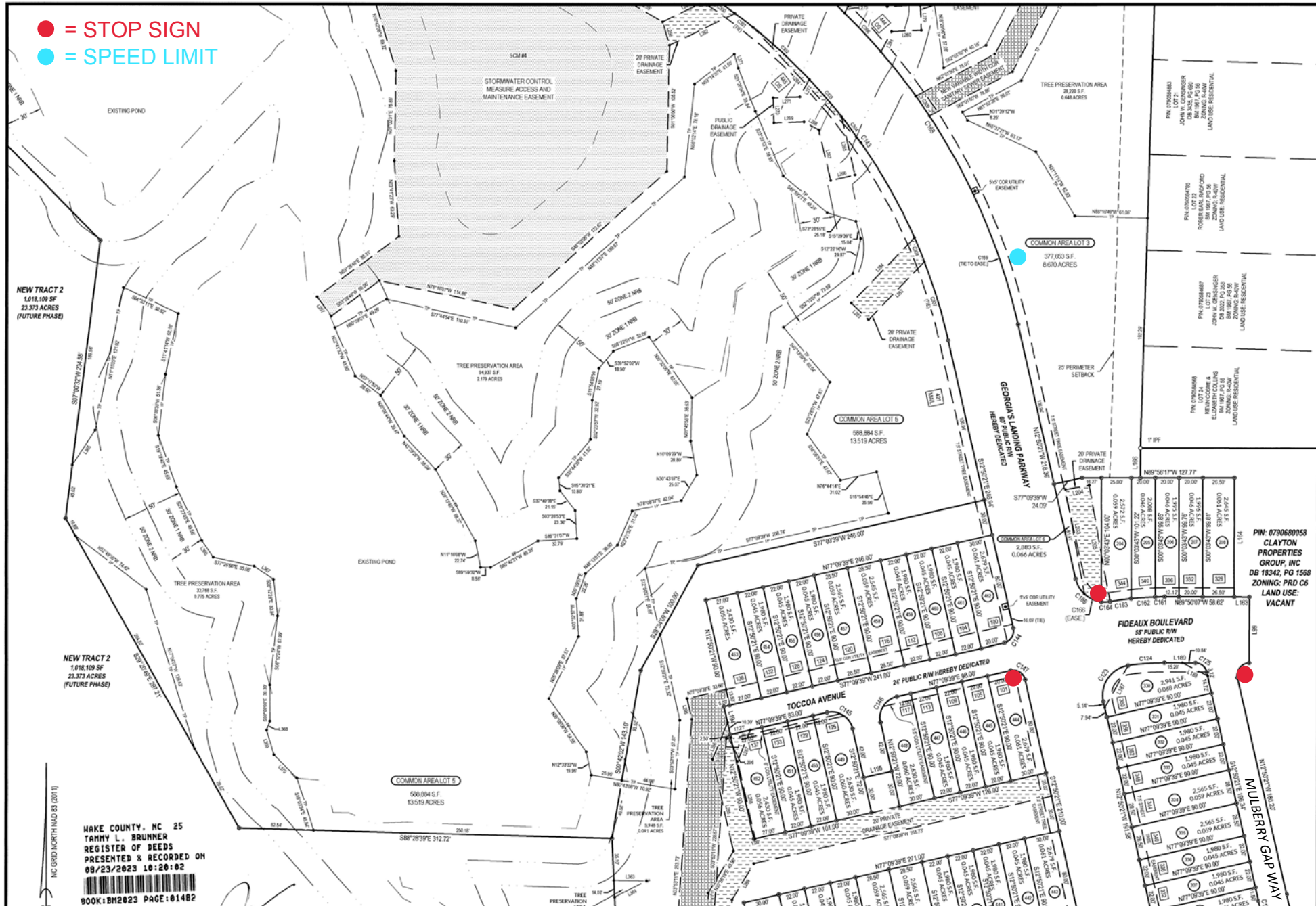


REVISIONS:	DATE: 07/03/2023
	SCALE: 1" = 50'
	SURVEYED BY: JM
	DRAWN BY: MDF
	CHECK & CLOSURE BY: BED
	CAD FILE: GL Phase 1 Subdivision Plat.dwg
	PROJECT NO: 02210185.0
CASE #:	FP-22-01

FINAL SUBDIVISION MAP OF		
<b>GEORGIA'S LANDING, PHASE 1</b>		
TOWNSHIP: SWIFT CREEK	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N.: 0790583066, 0790496465	ZONING: PRD C6	SHEET: 9 of 14

**WithersRavenel**  
Engineers | Planners | Surveyors  
115 MacKenan Drive | Cary, NC 27511  
t: 919.469.3340 | license #: F-1479 | wra.com

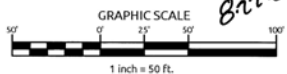
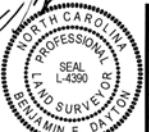
● = STOP SIGN  
● = SPEED LIMIT



NEW TRACT 2  
1,016,109 SF  
23.373 ACRES  
(FUTURE PHASE)

NEW TRACT 2  
1,016,109 SF  
23.373 ACRES  
(FUTURE PHASE)

WAKE COUNTY, NC 25  
TAMMY L. BRUNNER  
REGISTERED DEEDS  
PRESENTED & RECORDED ON  
08/23/2023 10:20:02  
BOOK: BH2023 PAGE: 01482



REVISIONS:	DATE: 07/03/2023
	SCALE: 1" = 50'
	SURVEYED BY: JM
	DRAWN BY: MDF
	CHECK & CLOSURE BY: BED
	CAD FILE: CL Phase 1 Subdivision Plat.dwg
	PROJECT NO: 02210185.0
CASE #: FP-22-01	

FINAL SUBDIVISION MAP OF		
<b>GEORGIA'S LANDING, PHASE 1</b>		
TOWNSHIP: SWIFT CREEK	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N: 0790583066, 0790496465	ZONING: PRD C6	SHEET: 10 of 14

**WithersRavenel**  
Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511  
t: 919.469.3340 | license #: F-1479 | [www.wr.com](http://www.wr.com)

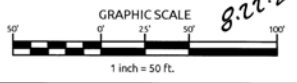
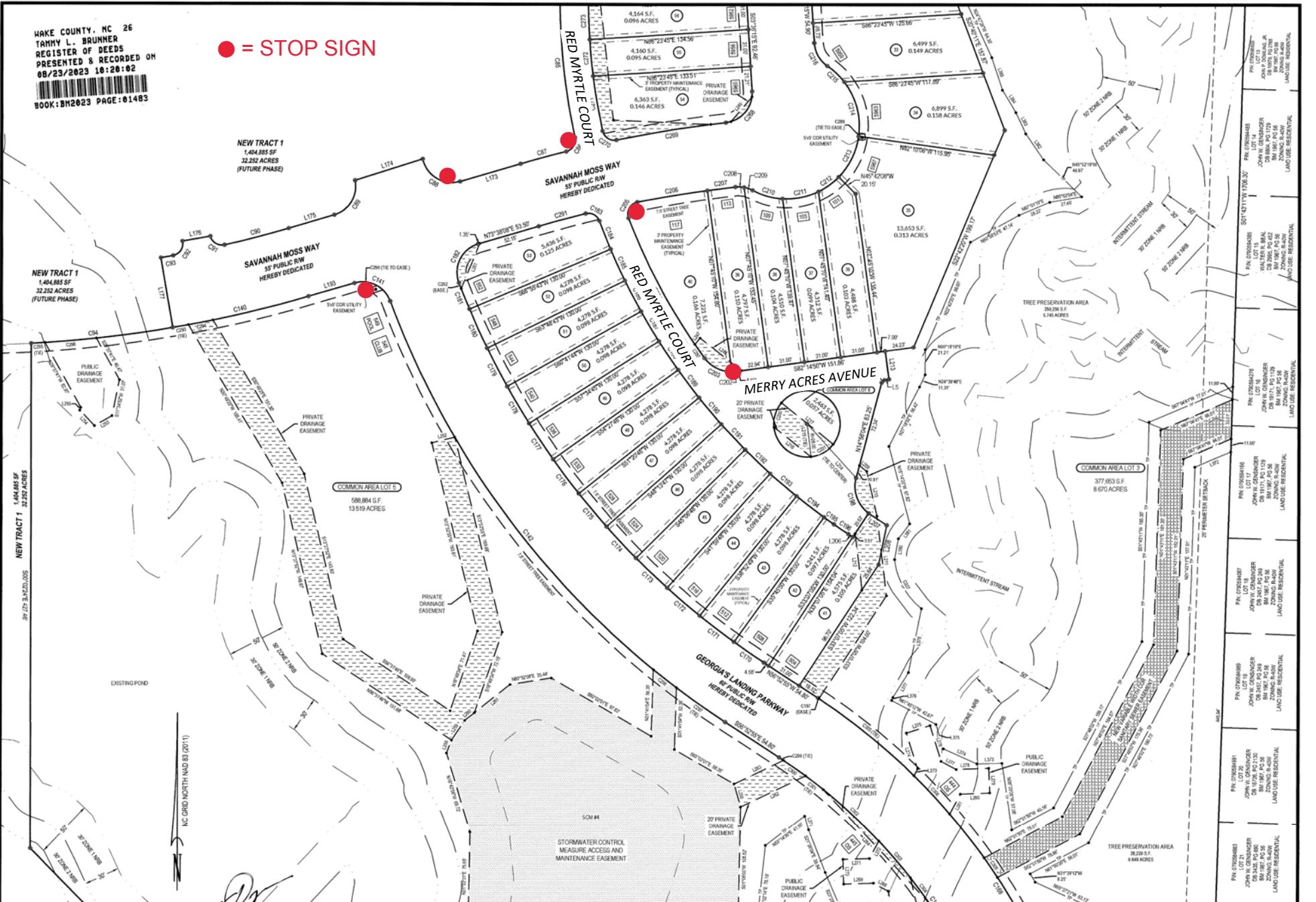
Page 18

PIN: 0790680058  
CLAYTON  
PROPERTIES  
GROUP, INC  
DB 18342, PG 1568  
ZONING: PRD C6  
LAND USE:  
VACANT



WAKE COUNTY, NC 26  
 TAHMY L. BRUNNER  
 REGISTER OF DEEDS  
 PRESENTED & RECORDED ON  
 08/23/2023 10:20:02  
 BOOK: BM2023 PAGE: 01483

● = STOP SIGN



*Ben D.*  
 8-22-23  
 NORTH CAROLINA  
 PROFESSIONAL LAND SURVEYOR  
 SEAL L4390  
 BENJAMIN E. DAYTON

REVISIONS:	DATE: 07/03/2023
	SCALE: 1" = 50'
	SURVEYED BY: JM
	DRAWN BY: MDF
	CHECK & CLOSURE BY: BED
CASE #: FP-22-01	CAD FILE: GL Phase 1 Subdivision Plat.dwg
	PROJECT NO: 02210185.0

FINAL SUBDIVISION MAP OF		
<b>GEORGIA'S LANDING, PHASE 1</b>		
TOWNSHIP: SWIFT CREEK	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N.: 0790583066, 0790496465	ZONING: PRD C6	SHEET: 11 of 14

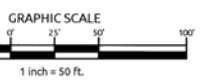
**WithersRavenel**  
 Engineers | Planners | Surveyors  
 115 MacKenan Drive | Cary, NC 27511  
 t: 919.469.3340 | license #: F-1479 | wra.com

● = STOP SIGN

NEW TRACT 1  
1,484,885 SF  
32.22 ACRES  
(FUTURE PHASE)

NC GRID NORTH MAG 85 (2011)

HAKE COUNTY, NC 27  
TAMMY L. BRUNNER  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
08/23/2023 10:20:02



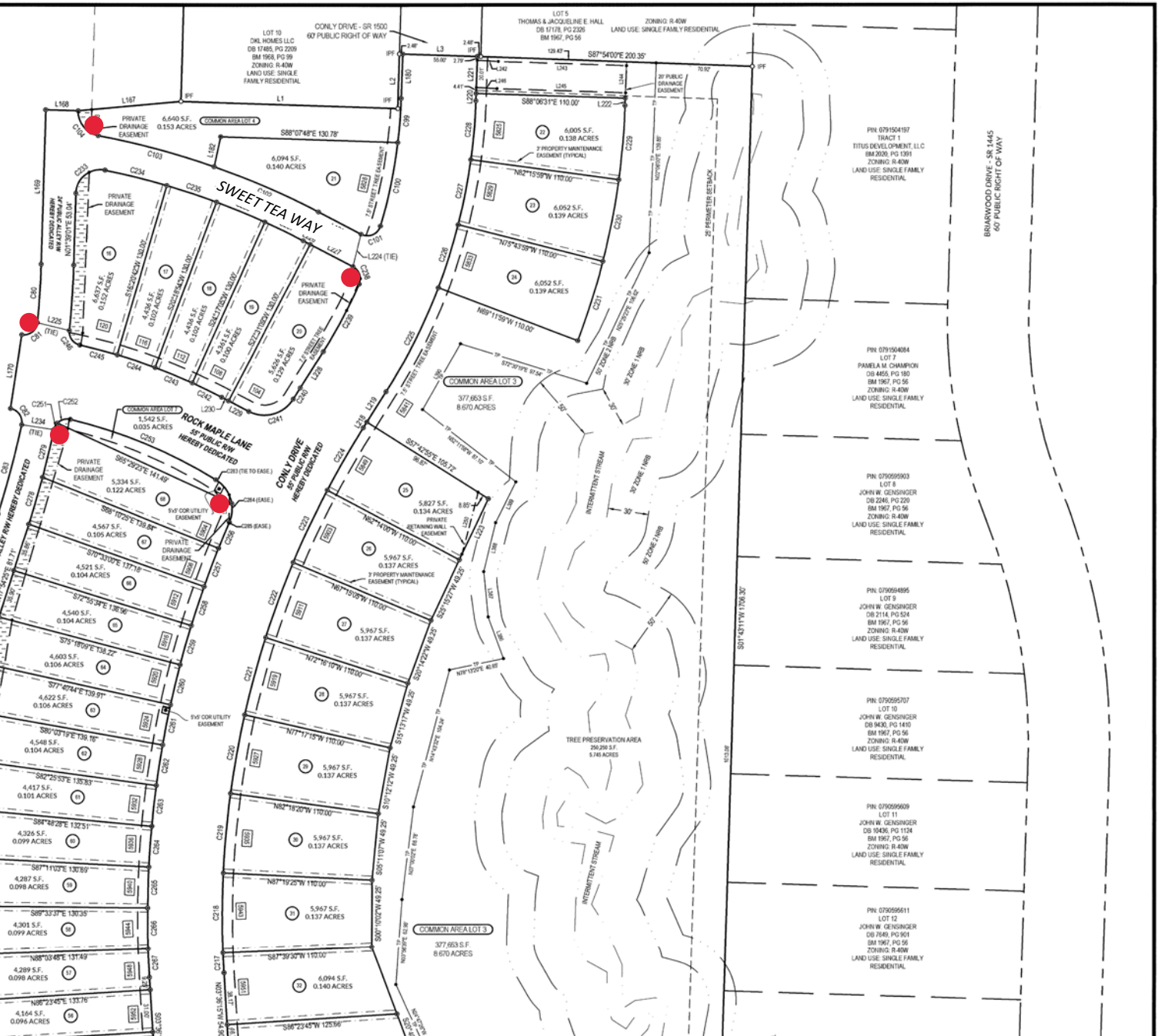
*Book 8-22-23*  
NORTH CAROLINA  
PROFESSIONAL  
LAND SURVEYOR  
SEAL L-4390  
JENNIFER E. DAYTON

REVISIONS:	DATE: 07/03/2023
	SCALE: 1" = 50'
	SURVEYED BY: JM
	DRAWN BY: MDF
	CHECK & CLOSURE BY: BED
	CAD FILE: GL Phase 1 Subdivision Plat.dwg
	PROJECT NO: 02210185.0
CASE #: FP-22-01	

FINAL SUBDIVISION MAP OF		
GEORGIA'S LANDING, PHASE 1		
TOWNSHIP: SWIFT CREEK	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N.: 0790583066, 0790496465	ZONING: PRD C6	SHEET: 12 of 14

**WithersRavenel**  
Engineers | Planners | Surveyors  
115 MacKean Drive | Cary, NC 27511  
t: 919.469.3340 | f: 919.469.3340 | e: info@withersravenel.com

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Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Surplus Property		
Location on Agenda: Consent		
Department: Finance		
Contact: David Beck, Finance Director		
Presenter: David Beck, Finance Director		
<b>Brief Summary:</b>  Several vehicles have recently been taken out of service and replaced with new ones as part of the VERT program. The vehicles that have been replaced will be sold as surplus property with the proceeds being put back into VERT.		
<b>Recommended Motion and/or Requested Action:</b> Approve Resolution (2023) 2545		
Detailed Notes:		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2023) 2545

RESOLUTION AUTHORIZING DISPOSITION OF SURPLUS PERSONAL PROPERTY

WHEREAS, pursuant to N.C.G.S. 160A-265 municipalities are authorized to dispose of personal property.

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

That the Town Manager is hereby authorized to sell the following items as provided by G.S. 160A-266:

<b>Asset Tag #</b>	<b>Year</b>	<b>Make/Model</b>	<b>Vin/Serial #</b>
159	2010	Ford Crown Vic	2FABP7BV8AX118778
166	2013	Dodge Charger	2C3CDXAT1DH538439
167	2013	Dodge Charger	2C3CDXAT8DH538440
168	2013	Dodge Charger	2C3CDXAT9DH643150
174	2011	Ford Crown Vic	2FABP7BV9BX161740
1110	2014	Dodge Charger	2C3CDXAT0EH198783
1123	2014	Dodge Charger	2C3CDXAT9EH198779
1136	2016	Ford Explorer AWD	1FM5K8AR3GGB36809

AND BE IT FURTHER RESOLVED by the Garner Town Council that the Town Manager is hereby authorized to sell these items by private sale at a negotiated price as provided for by G.S. 160A-267.

Duly adopted this the 5th day of October 2023.

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

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

Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Amended Resolution for Support of Affordable Housing Construction		
Location on Agenda: Consent <input type="button" value="v"/>		
Department: Town Manager's Office		
Contact: John Hodges, Assistant Town Manager & Terri Jones, Town Attorney		
Presenter: John Hodges, Assistant Town Manager & Terri Jones, Town Attorney		
<p><b>Brief Summary:</b></p> <p>On November 7, 2022, Council adopted resolution (2022)2513 to authorize support for the Tryon Station affordable housing project. Since then, Council has committed to an increase in the amount of the financing support for the project. The amended resolution which follows, (2022)2513a, authorizes the additional financing and also authorizes the Town Manager and Town Attorney to retain counsel to represent the Town in the closing.</p>		
<p><b>Recommended Motion and/or Requested Action:</b></p> <p>Approve Resolution (2022)2513a.</p>		
<p><b>Detailed Notes:</b></p>          		
<p><b>Funding Source:</b></p> <p>ARP Funding</p>		
Cost: \$750,000	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:	JMH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

RESOLUTION NO. (2023) 2513a

**RESOLUTION AUTHORIZING A LOAN IN SUPPORT OF AFFORDABLE HOUSING  
CONSTRUCTION**

WHEREAS, the Town of Garner has identified housing affordability as an important consideration for a vibrant community; and

WHEREAS, Wake County has adopted an Affordable Housing Plan and provides funding and financing to support development of affordable housing; and

WHEREAS, an affordable rental housing project, Tryon Station, is proposed to be built in the Town; and

WHEREAS, the aforementioned project is seeking gap financing from Wake County and the Town of Garner; and

WHEREAS, the Town of Garner desires to join Wake County in support of the project;

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

That financing in the amount of \$750,000 be provided to the project in the form of a 30-year loan as approved by Town Council on September 27, 2022 in the amount of \$500,000 and on September 5, 2023 in the amount of \$250,000; and

That the Town Manager is authorized to execute letter(s) of commitment, negotiate details of the transaction, and execute any loan documents and other documents needed for closing; and

That the Town Manager and Town Attorney are authorized to retain the Stuart Firm to represent the Town and to consent to the general waiver and specific waiver of conflicts of interest as outlined in the Firm's Engagement Letter dated September 21, 2023.

Duly adopted this 5<sup>th</sup> day of October 2023.

---

Ken Marshburn, Mayor

ATTEST:

---

Stella Gibson, Town Clerk

September 21, 2023

*Via email to [tjones@garnernc.gov](mailto:tjones@garnernc.gov)*

Terri A. Jones  
Town Attorney  
Town of Garner

**Re: Engagement for Legal Services**

Dear Terri:

It was great speaking with you and John about representing of the Town of Garner as a lender in the upcoming Tryon Station affordable housing project. We look forward to serving the Town as you instruct in this regard; however, before we accept this representation, it is appropriate to confirm the nature of the engagement of Stuart Law Firm, PLLC (the “Firm”) in connection with our representation. This letter and its attachments represent the terms of our engagement.

Scope of Representation

The Firm has been engaged to represent the Town of Garner as a lender in the Tryon Station multifamily affordable housing project, including drafting relevant loan documents and reviewing due diligence.

Billing and Fee Policy

Our fees will be based on hourly rates for each attorney and paralegal devoting time to this representation. The Firm fees are based on the actual amount of time spent addressing the representation and will be calculated in intervals equal to 1/10 of an hour based on the applicable hourly rate. A copy of the Firm’s Schedule of Hourly Rates is attached hereto as Exhibit A and incorporated herein by reference. These rates are subject to periodic changes by the Firm in consultation with you. It is anticipated that I will be the principal attorney working on this matter.

Expenses advanced by or incurred by the Firm will be billed at our cost. Such expenses include but are not limited to computer-assisted legal research, photocopying, and travel expenses. A copy of our policies related to billing expenses and costs is attached hereto as Exhibit B and incorporated herein by reference.

Fees and costs relating to this representation are not predictable. Accordingly, the Firm has not made a commitment to you concerning the maximum fees and costs that will be necessary to resolve or complete the matter. It is also expressly understood that payment of the Firm’s fees and costs is in no way contingent on the ultimate outcome of any legal action. As we discussed,

we anticipate that all fees and costs related to this representation would be charged to the borrower and collected at closing, but if the project does not close, the payment would remain the obligation of the Town of Garner.

### Wire Transactions

Before sending any wire, call our office to verify the instructions. We will not change wiring instructions. If you receive wiring instructions for a different bank, branch location, account name or account number, they should be presumed to be fraudulent. DO NOT SEND ANY FUNDS AND CONTACT OUR OFFICE IMMEDIATELY. Failure to follow this procedure endangers your funds.

### Your Obligation

To enable us to represent you effectively, we ask that you agree to cooperate fully with us on all matters relating to this representation and to fully and accurately disclose to us all facts and materials that may be relevant or that we may request.

### Electronic and Other Means of Communication

There are certain risks to confidentiality that are inherent to modern technologies, such as misdirected facsimiles or e-mails, unauthorized access to computer data or unsecured cell phone conversations. Despite these risks, by executing this agreement, you agree the Firm may use any of these methods of communication in connection with the representation.

### Retention of Documents

In connection to this representation, the Firm will retain certain documents in our files. Any such documents will be retained until the conclusion of the matter, at which time a copy will remain with the Firm and at your request, originals would be returned to you. The Firm files may eventually be destroyed in accordance with applicable NC State Bar standards.

### General Waiver of Conflicts

This Firm represents many other companies and individuals, including other organizations. By executing this agreement, you agree that the Firm may continue to represent or may undertake in the future to represent existing or new clients in any matter that is not substantially related to our work for you, even if the interest of such clients could somehow become directly or indirectly adverse to you. We agree that prospective consent to a potential conflicting representation referenced in the preceding sentence shall not apply in any instance in which we have obtained proprietary or confidential information of a non-public nature as a result of our representation of you, that if known to another client could be used to your material disadvantage. This request is included in our other engagement agreements to preserve our ability to represent you.

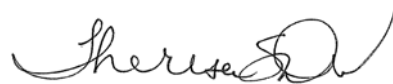
### Specific Waiver of Conflicts

**You have been advised that the Firm also represents Wake County as an additional lender in the Tryon Station transaction. Since both commitments have already been issued and priorities established, I do not anticipate any conflicts that would make representation of both lenders problematic. By executing this engagement letter, you are acknowledging your consent to the Firm's representation of both Wake County and the Town of Garner.**

If you agree with the terms set forth herein, please execute this agreement where indicated below. In providing your signature, you are acknowledging your authority to execute this agreement and that you have read, understand and assent to the terms of the agreement. Thanks again for your time and consideration.

Sincerely,

**STUART LAW FIRM, PLLC**



Theresa S. Dew

Enclosures

The foregoing letter and exhibits accurately state the terms of the engagement of Stuart Law Firm, PLLC by you to represent you in connection with the matters and under the circumstances described above and this confirms a waiver of any existing conflicts and future conflicts as described herein.

**Town of Garner**

By: \_\_\_\_\_  
Rodney Dickerson, Town Manager  
Date: \_\_\_\_\_

EXHIBIT A

**STUART LAW FIRM, PLLC**

**Hourly Rates**

Catherine R. Stuart.....	\$350.00
James L. Stuart.....	\$350.00
Theresa S. Dew.....	\$275.00
Senior Attorneys.....	\$215.00-\$250.00
Junior Attorneys.....	\$200.00-\$215.00
Law Clerks.....	\$155.00
Managers.....	\$160.00
Paralegals.....	\$120.00-\$140.00
Interns .....	\$100.00



## EXHIBIT B

### Billing Clients for Costs Incurred and Expenses Advanced

We will bill you for disbursements made or expenses incurred on your behalf as indicated below:

**Telephone Charges.** Our long-distance telephone charges will be based upon actual direct dial rates (approximately 90% of our long distance telephone calls are made without charge to the client), if any. In the event that telephone calls are made from locations other than our offices, the cost will be based upon our credit card or cellular telephone costs. We will not bill you for local telephone service.

**Photocopies.** We will bill you for photocopies at \$0.10 per page.

**Outside computer research** (Lexis or Westlaw). We will bill at the normal Lexis or Westlaw rates without markup.

**Filing fees.** We will bill filing fees at our cost without markup.

**Travel Expenses.** We will bill you for the charges at our cost without markup, which is based on the applicable IRS Standard Mileage Rates.

**Express delivery services** (UPS Air, Federal Express, etc.). We will bill you for the charges at our cost without markup.

**Facsimile.** We will not charge you for facsimile copies. Long distance telephone charges for facsimile transmissions will be charged at the rates indicated above.

**Court reporters, expert witnesses, accountants.** We will bill you for the charges at our cost without markup.

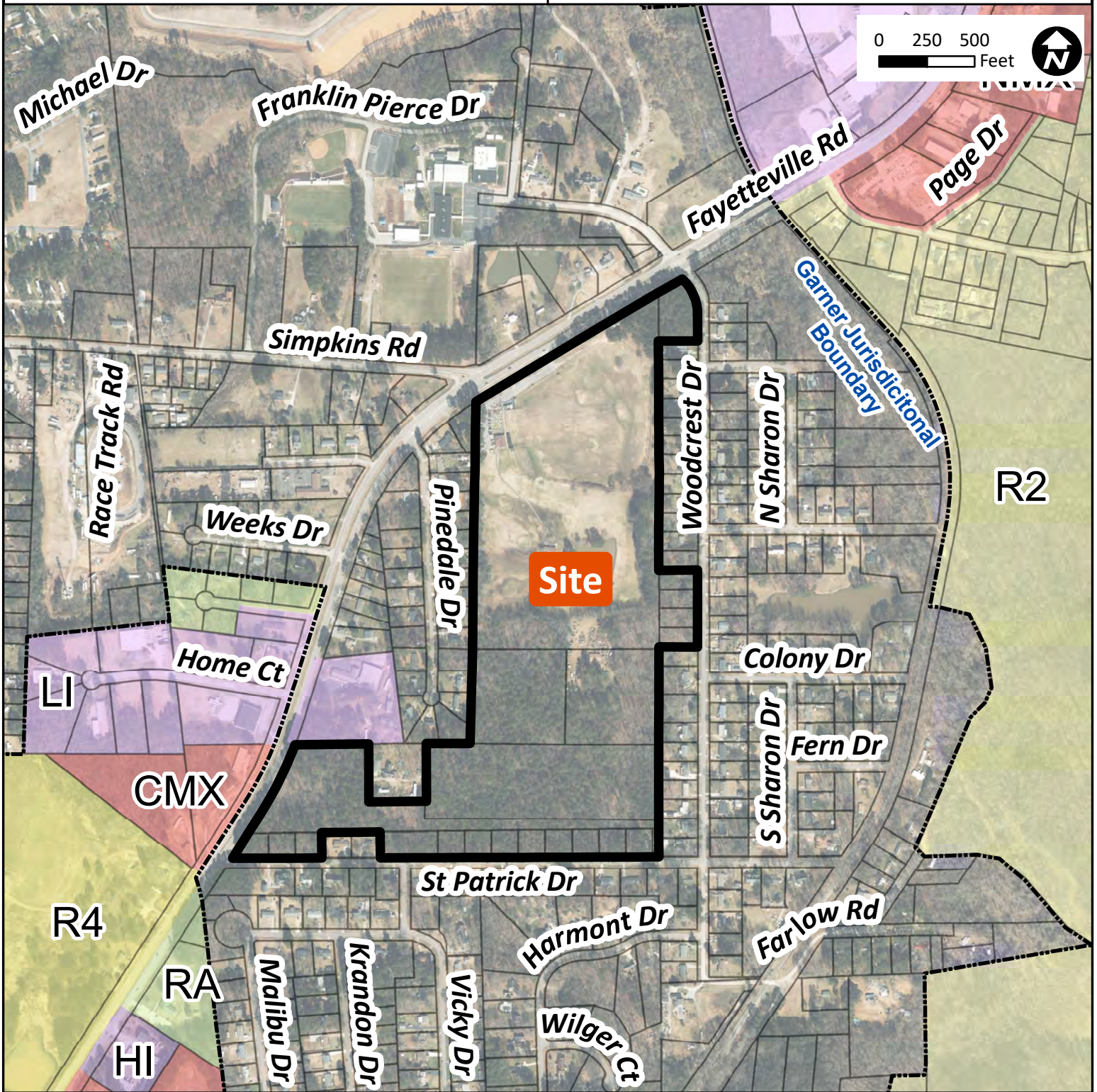
Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Tier 2 Conditional Rezoning # CZ-PD-22-03, 401 Crossing		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Ashley Harris, Planner I		
Presenter: Ashley Harris, Planner I; Jeff Triezenberg, AICP, GISP; Planning Director		
<b>Brief Summary:</b> <p>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 and may further be identified as multiple Wake County PIN(s) - see staff report for full list.</p>		
<b>Recommended Motion and/or Requested Action:</b> <p>Consider closing public hearing to refer case to Planning Commission for consistency review and recommendation.</p>		
<b>Detailed Notes:</b> <p>Zoning conditions are proposed that restrict the range of permissible uses and to provide architectural commitments for the buildings that address appearance and the quality of materials and construction. This is a continuation of the public hearing initially held on August 22, 2023. Applicant has held two additional neighborhood meetings (September 14, 2023 and September 25, 2023), the second of which has met UDO notification requirements and made adjustments to their request. A full neighborhood meeting packet containing information from all 4 meetings is attached after the staff report, as well as an updated copy of the PUD zoning booklet.</p>		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



# Town of Garner Planning Department

## Conditional District Zoning Application CZ-PD-22-03



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

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





## Planning Department Staff Report

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

**FROM:** Ashley Harris, Planner I

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

**DATE:** October 5, 2023

### I. PROJECT AT A GLANCE

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

**Applicant:** Laura Holloman, McAdams Co.

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

**Designer:** McAdams Co.

**General Description -**

**Project Area & Location:** 72.24 +/- acres

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

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

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

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

**Key Meeting Dates:**

**Public Hearing:** August 22, 2023, and October 5, 2023 (Continued)

**Planning Commission:** TBD

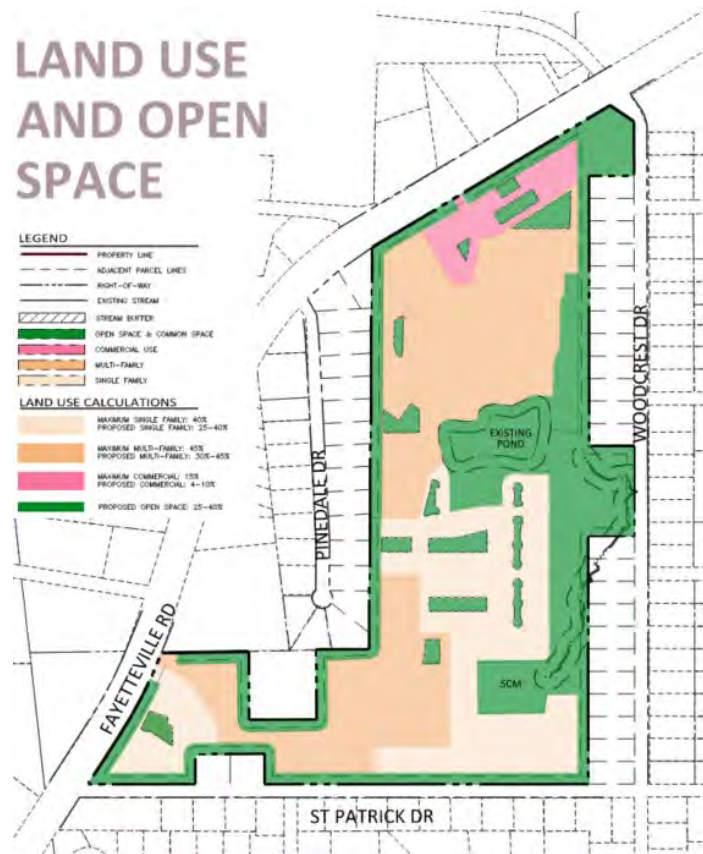
**Action:** TBD

## II. BACKGROUND / REQUEST SUMMARY

**Request:** Tier 2 conditional rezoning request submitted by the McAdams Company to rezone approximately 72.24 +/- acres from **Wake County Residential 40 Watershed (R-40W)** to Town of Garner **Planned Unit Development (PD C15) Conditional** for a mixed-use development of a maximum of 300 single-family residential units (platted individual residential lots, 25-40% land area proposed, max allowed 40%), 500 multifamily residential units (multiple units on common lots, 30-45% land area proposed, max allowed 45%), and 45,000 square feet of commercial space (land area proposed 4-10%, max allowed 15%). The site is located on the southeast side of US Highway 401 (Fayetteville Road) between Woodcrest Drive and St Patrick Drive and may further be identified as Wake County PIN(s) 0790781096, 0709788067, 0790889826, 0790884847, 0790886087, 0790886098, 0790780066, 0790897596, 0790992265, 0790992386, 0790992476, 0791902864, 0790992175, 0790885319, 0790981008, 0790882057, 0790783046, 0790981161, 0790885048, 0790881017, 0790785341, 0790785341, 0790889068, and 0790888028.

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

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



**Update:** Since the opening of the public hearing on August 22, 2023, the applicant has held two additional neighborhood meetings (September 14, 2023; and September 25, 2023), the second of which has met UDO notification requirements, and has made adjustments to their request.

Updated sections of the initial staff report are identified herein in blue. The applicant will address the specific adjustments made.



### III. ZONING ANALYSIS

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

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

- |  |  |
|--|--|
| 1. Attached House/Townhouse                | 12. Adult Day Care Facility (SUP)                |
| 2. Detached House/Single Family            | 13. Botanical Garden/Arboretum (SUP)             |
| 3. Duplex, Triplex, 4-Plex                 | 14. Public Recreation (Assembly) Buildings (SUP) |
| 4. Lot Line House                          | 15. All Other Public Parks Recreation            |
| 5. Mobile Home                             | 16. Parking, Park and Ride (SUP)                 |
| 6. Family Care Home                        | 17. Religious Assembly (SUP)                     |
| 7. Group Care Home (SUP)                   | 18. Governmental (SUP)                           |
| 8. Libraries (SUP)                         | 19. School (SUP)                                 |
| 9. Other Cultural Exhibits/Libraries (SUP) | 20. Veterinary (SUP)                             |
| 10. Child Care Home                        | 21. Kennel                                       |
| 11. Child Care Center (SUP)                |  |

- 22. Shelter
- 23. Cemetery, Mausoleum, Columbarium (SUP)
- 24. Family Burial Grounds
- 25. Bed And Breakfast- Homestay & Residence (SUP)
- 26. Campgrounds (SUP)
- 27. Conference Center/Retreat House (SUP)
- 28. Day Camp (SUP)
- 29. Firearm/Archery Ranges and Clubs (SUP)
- 30. Equestrian Facilities/Riding Clubs/Stables (SUP)
- 31. Fishing Club (SUP)
- 32. Golf Course (SUP)
- 33. Golf Course (As Part of Subdivision) (SUP)
- 34. Marina/Boating Facility (SUP)
- 35. Recreational Farms/Ranched (SUP)
- 36. Swimming Pool/Tennis Club (SUP)
- 37. Swimming/Tennis Club (As Part of Subdivision)
- 38. Wildlife/Game Preserve (SUP)
- 39. Outdoor Recreation/Entertainment (SUP)
- 40. Neighborhood/Convenience-Oriented Retail (w/o Gas Sales) (SUP)
- 41. Recycling Collection (Household Collection Only) (SUP)
- 42. Elimination And Redevelopment of Nonconforming Use (SUP)
- 43. Farm Serving Uses, Class 1 (SUP)
- 44. Farm Serving Uses, Class 2 (SUP)
- 45. Farmers Market (SUP)
- 46. Farmers Market as Part of Public-Civic Use Group
- 47. Forestry
- 48. Local Agricultural Market (SUP)
- 49. Solar Energy Systems (SUP)
- 50. Special Events (SUP)
- 51. Static Transformer Stations, Radio/Tv and Towers, Relay Station (SUP)
- 52. Telecommunications Facility
- 53. Water Tower

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

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

1. Permitted Use Table

Use Category	Specific Use	PD C15
Household Living*	Two-Family Dwelling	P
	Townhouse	P
	Multifamily (triplex and higher, including Apartment)	P
Community Service	Library, Museum, Art Gallery, Art Center	P
Day Care	Adult Day Care	P
	Day Care Center	P

Use Category	Specific Use	PD C15
Educational Facilities and Services	Music/Dance/Art Instruction	P
Health Care	Medical Clinic	P
Institutions	Nursing Care Institution	P
Entertainment	Theater	P
	Gym, Spa, Indoor Tennis Court or Pool, Private	P
	Indoor Entertainment Facility	P
Office	Medical Office, Individual	P
	Other Office	P
Religious Institution		P
Restaurants	Restaurant, Drive-In or Outdoor Curb Service	P
	Restaurant, Indoor, with Seating Only	P
	Restaurant with Seating and Drive-Through Window	P
	Restaurant, Take-Out Only (Drive-Through or Walk Up)	P
Retail Sales and Service	Personal Service Oriented Use (excludes commercial greenhouses or any use with outdoor operations)	P
	Hair Salons, Beauty Shops, Barbershops	P
	Banks or Financial Institution	P
	Repair Oriented Use (No Outdoor Operations)	P
	Sales Oriented Use (No Outdoor Operations)	P
	Veterinarian/Kennel, Indoor	P
Vehicle Sales and Service	Car Wash (accessory use only)	P
	Convenience Store with Fuel Sales (minimum retail area 3,000 sf)	P
	Vehicle Service, Limited	P

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

2. Developed open space, calculated at 25% of the total developable land area (Garner UDO Section 8.2) shall contain a minimum of three (3) of the following elements:



paved walking trails; cornhole boards; butterfly garden; seat wall; bench; dog park; community garden; cut flower garden; playground; enhanced landscaping.

3. The existing pond will remain as an environmental and amenity feature. The pond's area shall remain either its current size or greater. The pond shall include at least two of the following:
  - Benches
  - Gazebo
  - Enhanced landscaping
  - Natural (paved) walking trail(s)
4. On-site recreational facilities shall include:
  - A pool
  - Playground
  - Fitness center
  - Passive open space.
5. Perimeter buffer shall be a minimum of 30 feet. Existing trees and vegetation will be used with supplemental native plants.
6. Outside of protected environmental areas, perimeter buffers shall be supplemented with evergreen plant material to achieve 50% evergreen material within the buffer.
7. All supplemental landscaping added to the perimeter buffer landscaping shall utilize native plant material.
8. Foundation condition - will follow developer standards for foundation band board.
  - Townhomes shall have a 12" foundation band board.
  - Cottages shall have an 8" foundation band board.
9. A varied color palette shall be utilized on buildings for each residential portion of the development to include a minimum of two color families for siding and shall include varied trim, shutter, and accent colors complimenting the siding color.
10. Townhomes, cottages, and duplexes that have frontage on a right-of-way shall have trim around the windows on rear and side elevations.
11. The following shall apply to townhome buildings: Roof line cannot be a single mass; it must be broken up either horizontally and/or vertically between, at a minimum, every other unit.
12. Three of the following decorative elements shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
13. Fences not exposed to common open spaces or surrounding stormwater ponds shall be powder-coated aluminum picket type fencing.

14. Vinyl siding shall be prohibited as a building material except as a trim option.
15. All garage doors shall be affixed with carriage door adornments and windows.
16. Multifamily amenity area shall include:
  - A minimum 3,000 sf clubhouse;
  - A minimum 2,500 sf swimming pool; and
  - All to be constructed within 18 months of issuance of multi-family building permit.
17. Multi-family apartments shall not use vinyl siding and shall have:
  - Cementitious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features - the masonry component shall be a minimum of fifty percent (50%) per building;
  - Other accessory buildings may only have a masonry wainscot;
  - Offsets in the plane of each facade for each apartment building;
  - Either masonry embellishment or 1x4 casing on all windows.
18. Multi-family apartments shall be located a minimum of 60 feet from existing single-family structures.
19. Non-residential buildings shall have architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping may be incorporated to add visual interest. Large expanses of blank walls, greater than 25' in length or height, shall be broken up with architectural features such as windows, awnings etc. to reduce visual impacts.
20. Adjacent to all perimeter property lines, maximum building height will be limited to four stories.
21. Non-residential building roof features shall include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
22. Amenities that will serve a particular phase shall be built concurrently with that phase.
23. All off-street parking shall meet minimum parking standards outlined in the UDO.
24. Access shall be granted to the now or formerly known as the Carleton property (REID# 001329/PIN# 0790787494) via an access easement.
25. All road frontage improvements shall be made in accordance with the approved TIA (diagram showing committed improvements immediately following this sheet).
26. Streets shall be improved per TOG standards. Each street section shall be improved as follows, Fayetteville Road should be improved to half of a 6-lane thoroughfare with curb, gutter, and a 10' asphalt side path. St. Patrick Dr. and Woodcrest should be improved to half of a major local section with curb, gutter, and sidewalk.
27. Construction entrance shall be located on the subject property.

- 28. Related construction parking shall be located on site.
- 29. Developer shall perform a phase I Environmental Assessment as part of their routine diligence. If contamination is found, and the developer is admitted into the NC Brownfield Program, the developer will follow conditions provided there-under by NC DEQ.

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

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

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

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

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

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

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

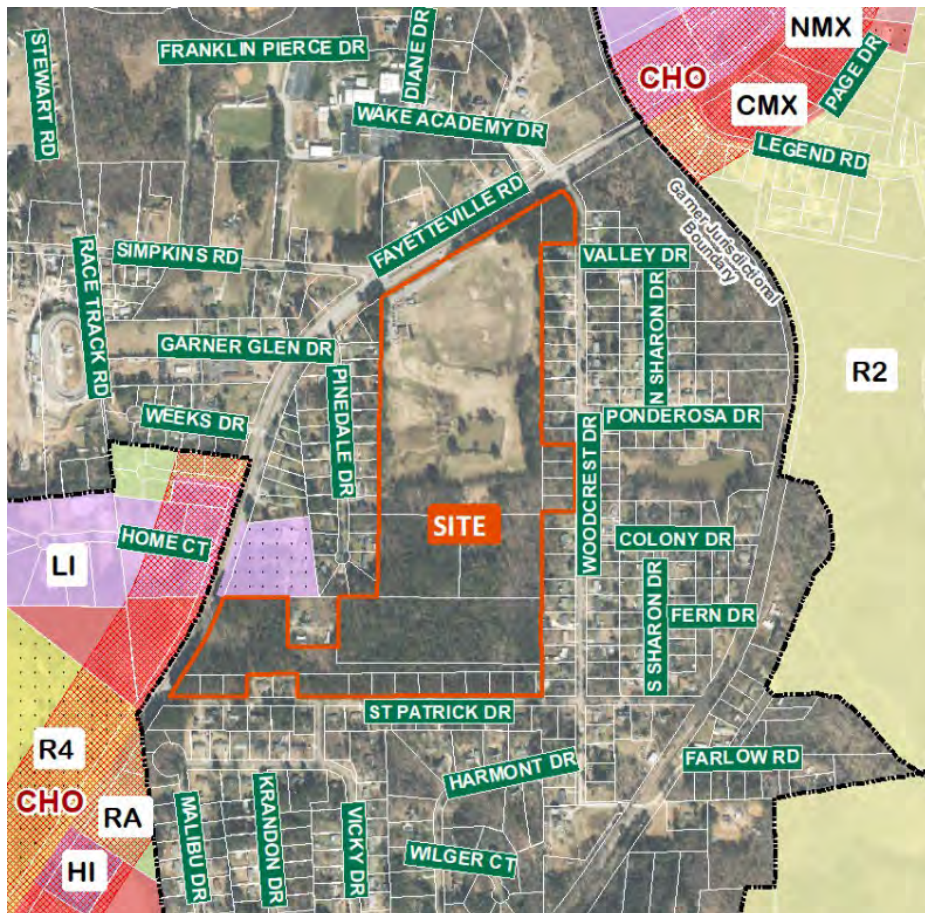
**Zoning History:** The Planning Department’s rezoning database contains the following rezoning cases in the vicinity of this property. More recent cases are listed below.

Case	Applicant	Location	Zoning Change
CUD-Z-89-3	Longbranch Development Company	Malibu Drive	R-40W & 80W to R-12 PR C29 and SB C30
CUD-Z-96-5	Town of Garner	Fayetteville Road	R-40 to SB C22

Case	Applicant	Location	Zoning Change
PD-Z-14-01	Tony M. Tate	Fayetteville Road (Swift Creek Station)	SB C22, Residential-12 PR C54, Residential-12 PR C29 to TND C2
PD-Z-19-01	Forsyth Investments Company, LLC	Georgia's Landing	Single-Family R-40 to PRD C6
CZ-22-06	Four O One South LLC	Fayetteville Road	Wake County HD to LI C268

**Adjacent Zoning and Land Use:**

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



#### **IV. COMMUNITY INFORMATION**

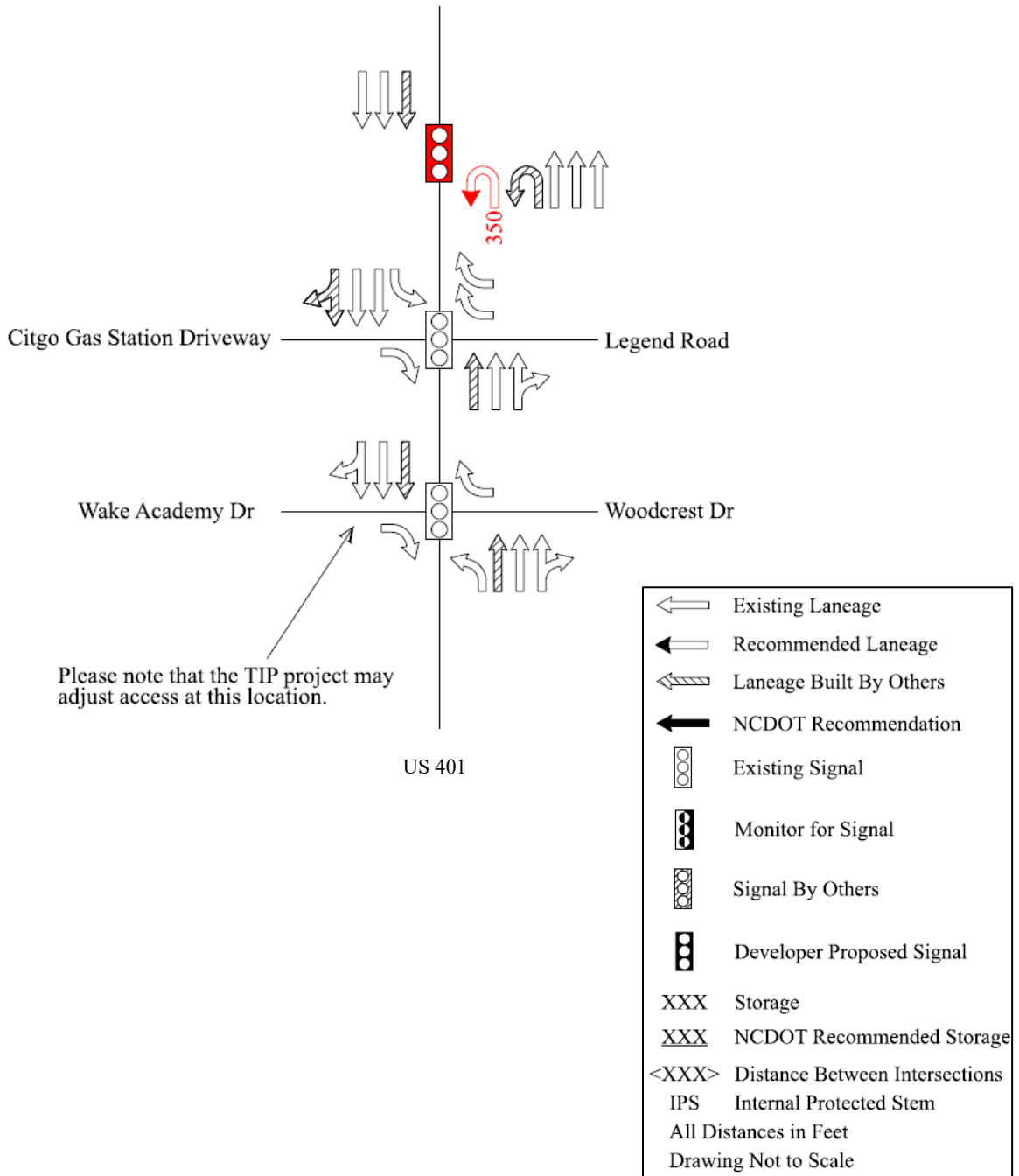
**Overall Neighborhood Character:** A mixed area of existing county residential subdivision and highway-oriented development. The area is heavily influenced by US 401 as the primary traffic facility in the immediate vicinity.

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

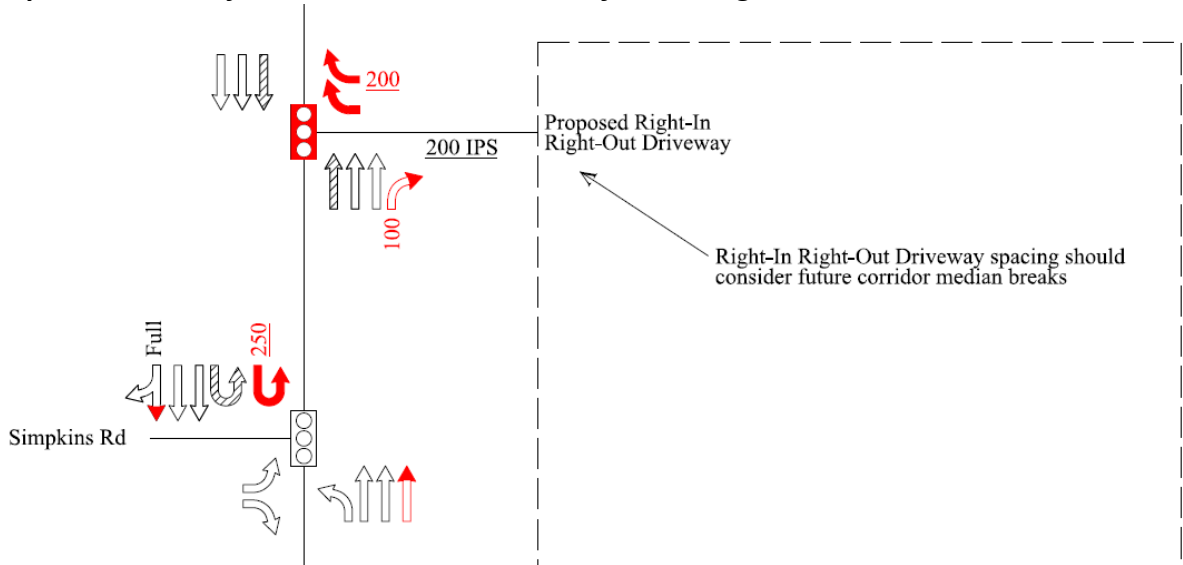
- Year 2011 – 31,000
- Year 2013 – 32,000
- Year 2015 – 33,000
- Year 2017 – 32,000
- Year 2019 – 39,000
- Year 2021 – 29,500

A traffic impact analysis (TIA) was required by both the Town and NCDOT. It was completed in July of 2022, with an additional addendum completed in December of 2022. NCDOT's Congestion Management Unit recommended the addition of multiple signalized points along US 401 (one intersection and two new U-turn locations – *north of Legend Rd. and between Simpkins Rd and St Patrick Dr.*). Improvements also include a second lane for the southbound U-turn at Simpkins Road and full widening of 401 from just north of Simpkins to a point south of the new southernmost signal (addition of the third travel lane along both directions). Please note that the UDO will also require widening of northbound US 401 along the project's frontage as well – likely resulting in the full northbound 3-lane section from St. Patrick Drive to Woodcrest Drive with dedicated right-turn lanes as required.

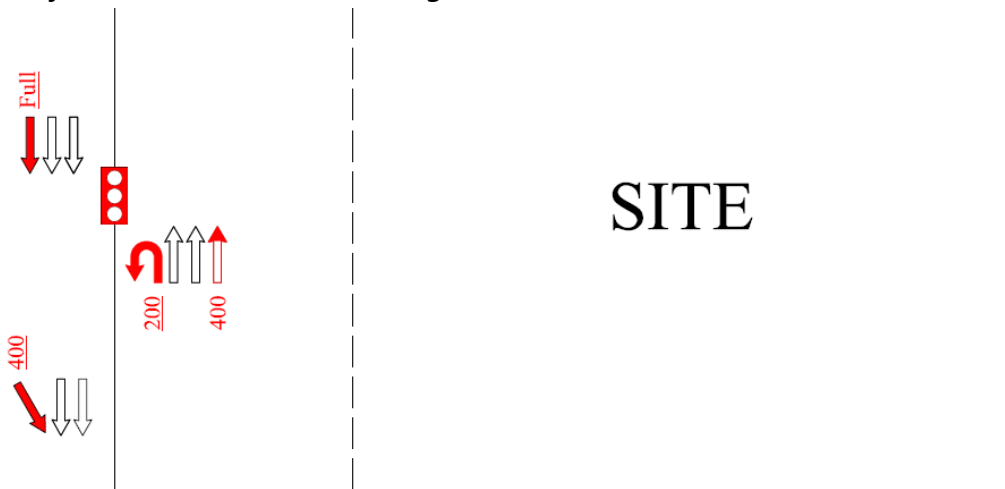
**Improvements North of Site along US 401:**



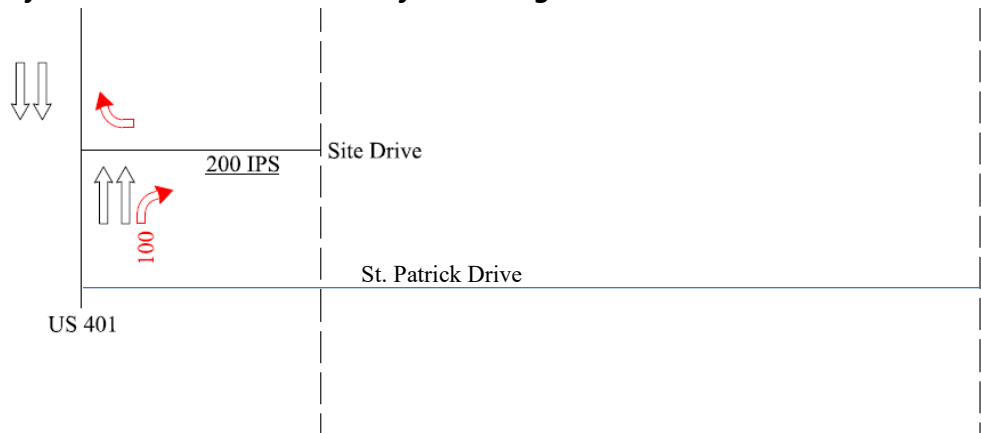
**Improvements Adjacent to Northern Portion of Site along US 401:**



**Improvements Adjacent to Pinedale Area along US 401:**



**Improvements Adjacent to Southern Portion of Site along US 401:**

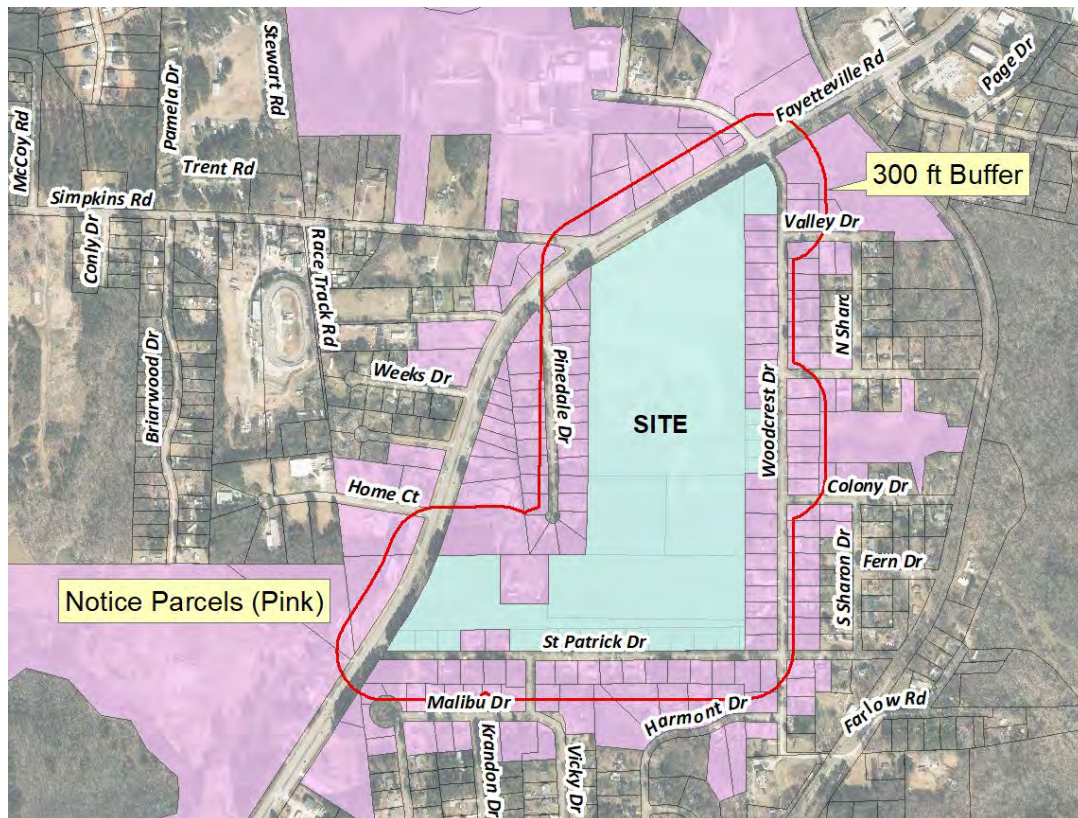




**Neighborhood Meeting:** A neighborhood meeting was held May 16, 2022, at 6:00 PM in the Garner Senior Center. There were approximately 40 people in attendance.

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

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



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

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

**Third Neighborhood Meeting:** As requested by Council at the public hearing, the applicant held an additional neighborhood meeting on September 14, 2023, at the Garner Senior Center. This meeting was determined by staff to not have met the UDO-required notification requirements. There were approximately 21 neighbors in attendance.



**Neighborhood Meeting Summary:** There were questions regarding the impervious surface limitations, water and sewer locations, open space, the perimeter buffer, parking, and the TIA/Traffic improvements.

**Fourth Neighborhood Meeting:** An additional neighborhood meeting was held September 25, 2023, at the Garner Performing Arts Center. This meeting was found by staff to have met the UDO-required notification requirements. There were approximately 30 neighbors in attendance.

**Neighborhood Meeting Summary:** There were questions regarding the water and sewer locations, parking, the TIA and traffic impacts of the development, the emergency fire access, the unit sizes and target market, and stormwater.

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

**Public Hearing Summary:** The Town Council began the public hearing at their meeting on August 22, 2023. Please refer to the Town Council Meeting for 8/22/23 video (<https://www.youtube.com/watch?v=TxowmQb9sEo&t=9754s>) at the Town of Garner's YouTube page (<https://www.youtube.com/@TownofGarner/streams>). The staff presentation begins at the 34:00 minute mark of the video, and comments begin at 1:02:00. A number of neighbors spoke opposed to the project; those comments begin at the 1:36:00 mark.

Council discussion focused on neighborhood meetings, road improvements, traffic, future transportation plans for the area, parking, open space, soil quality, environmental considerations, and storm water.

The Town Council continued the public hearing to a future meeting on a vote of 5 to 0. With no date certain specified, it was noted that the continuation of the public hearing would need to be re-noticed by staff.

## V. PLANNED DEVELOPMENT PROJECT DATA

**Acreage:** 72.24 +/- acres

- Residential: 68 +/- Acres
- Commercial: 5 +/- Acres

*Note: UDO requires all residential to be built or guaranteed prior to non-residential areas being occupied (Section 6.11.D.).*

**Units/Bldg. Size:**

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

**Master Plan:**



**Buildings:**

**Sampling of elevations (units on individual lots):**

**FOUR UNIT TOWNHOUSE ARCHITECTURAL DETAILS**

**RENDERINGS**

\*Elevations are conceptual and subject to change.



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

**SIX UNIT TOWNHOUSE ARCHITECTURAL DETAILS**

**RENDERINGS**

\*Elevations are conceptual and subject to change.



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

**Cottages on common lots:**

**COTTAGE COURT ARCHITECTURAL DETAILS**

**RENDERINGS**

\*Elevations are conceptual and subject to change.



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



## MULTI-FAMILY ARCHITECTURAL PRECEDENT

4-5 story product – will require elevators per building code.



### **Lots and Setbacks:**

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

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

As envisioned in the master plan drawing, all perimeter setbacks are at least double the minimum required.

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

**Landscape and Buffer Requirements:**

**Tree Canopy Cover:**

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

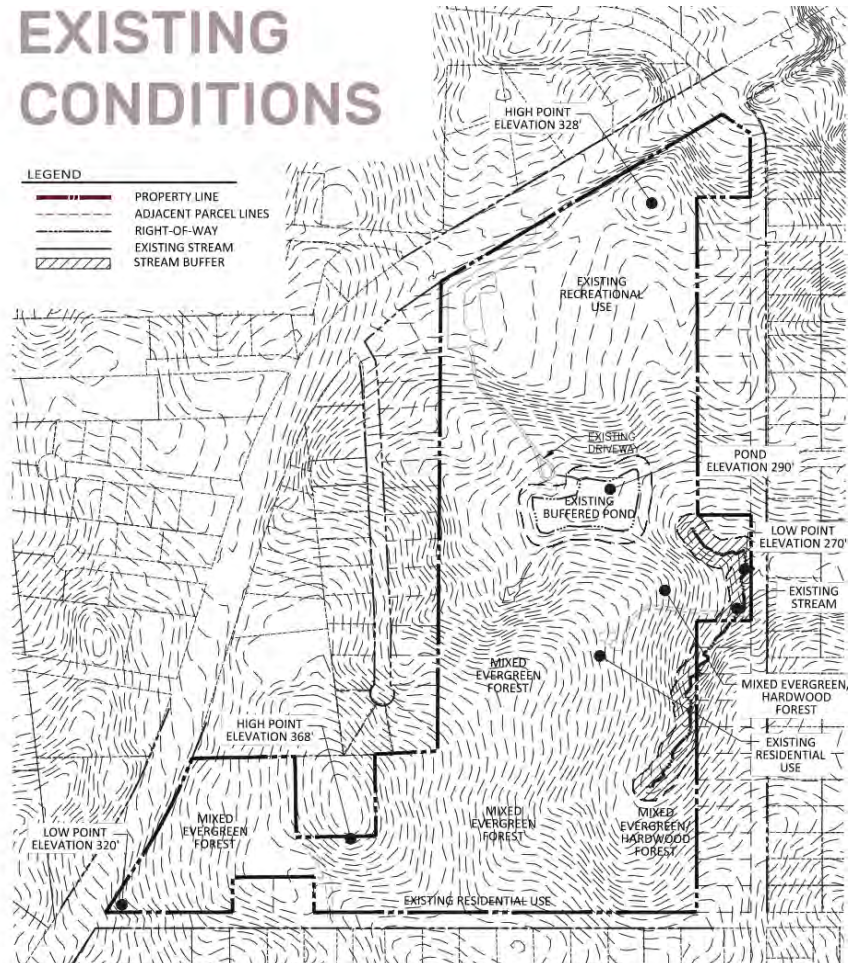
**Perimeter Buffers:**

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

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

**Environmental Features:**

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

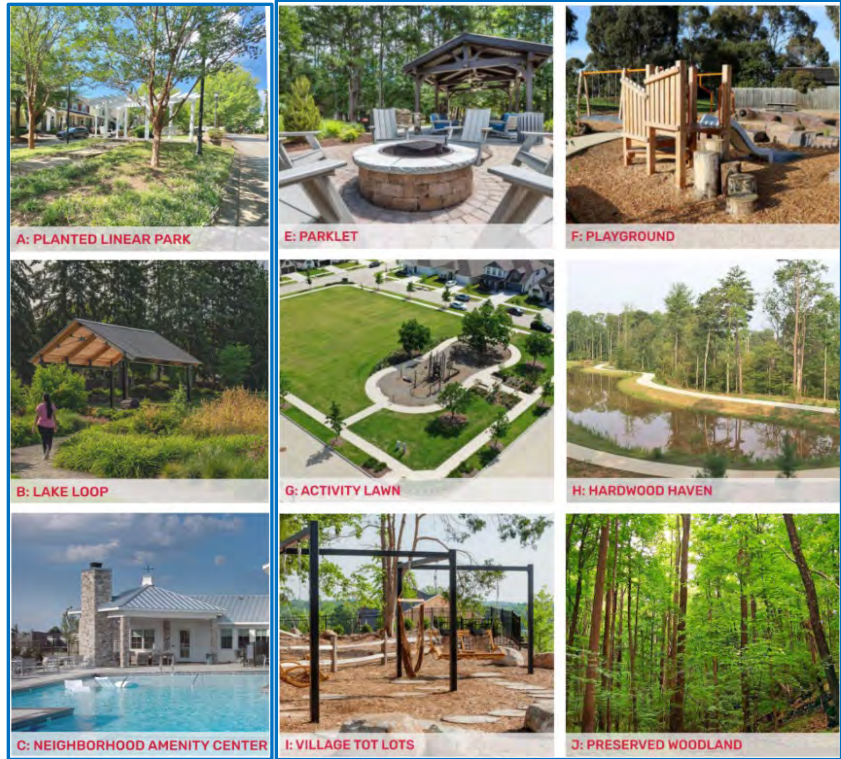




**Parks and Open Space** *Open Space*  
**Space:**

- Total open space required: 25%
  - Total open space planned: PUD envisions 34.9% (previously proposed 25-30%) open space. *To be verified at site/subdivision plan review.*
- Open space areas will be maintained by an HOA or property manager. Required open space will be met with a combination of qualifying conservation areas and recreation space. Recreation space (shown as improved open space below) will include 2 neighborhood amenities, paved walking trails, linear pocket park, pocket park, playground, tot lot, activity lawn, and a commercial open space area.





Area	Program	Minimum SF (+/-)	Quantity	Total SF (+/-)
A	Linear Park	17,000	1	17,000
B	Lake Loop	100,000	1	100,000
C	Neighborhood Amenity Center	16,500	1	16,500
D	Village Green	18,000	1	18,000
E	Parklet	7,500	1	7,500
F	Playground	8,000	2	16,000
G	Activity Lawns	18,000	5	90,000
H	Hardwood Haven	90,000	1	90,000
I	Pocket Parks	2,000	3	6,000
J	Preserved Woodland	60,984	1	60,984
Total Minimum Activated Open Space Provided in square feet: 421,984				
Total Minimum Activated Open Space Provided in acres: 9.69				

**Lighting:** To meet UDO requirements.



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

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

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





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

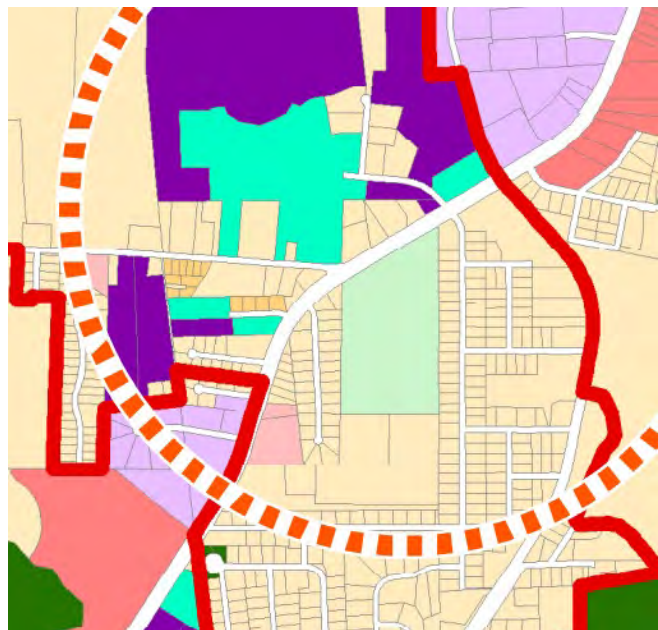
## **VI. PLAN CONSISTENCY**

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

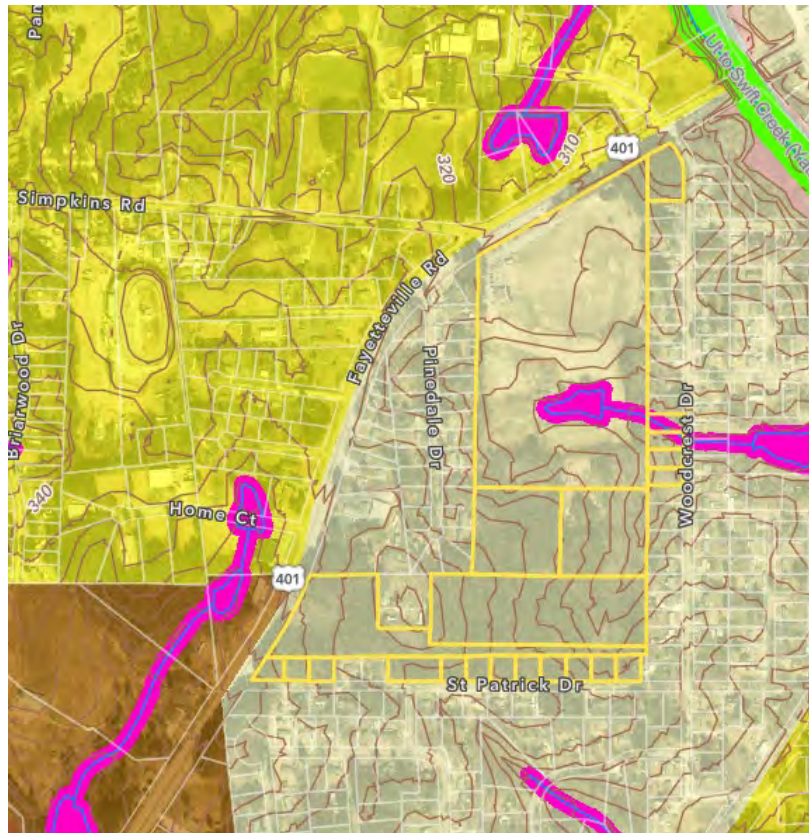
Staff offers that the Planning Commission should review consistency with the following plans:

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

**Preview of 2018 Comp Plan’s Future Land Use Map:** (site is currently designated as a mix of active recreation [*green*] and low-density residential [*light orange*], but within a commercial focus area of change {*red dashed circle*}):



**Preview of SCLMP:** (site is designated Existing Urban Non-Compliance – residential density maximums are controlled by the underlying zoning and impervious surface limits may be increased to 70% with the 1” of rainfall detained.)



## **VII. REASONABLENESS**

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

## **VIII. RECOMMENDATION**

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

May 2, 2022

**RE: Neighborhood Meeting – 401 Crossing**

Dear Property Owner,

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

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

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

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

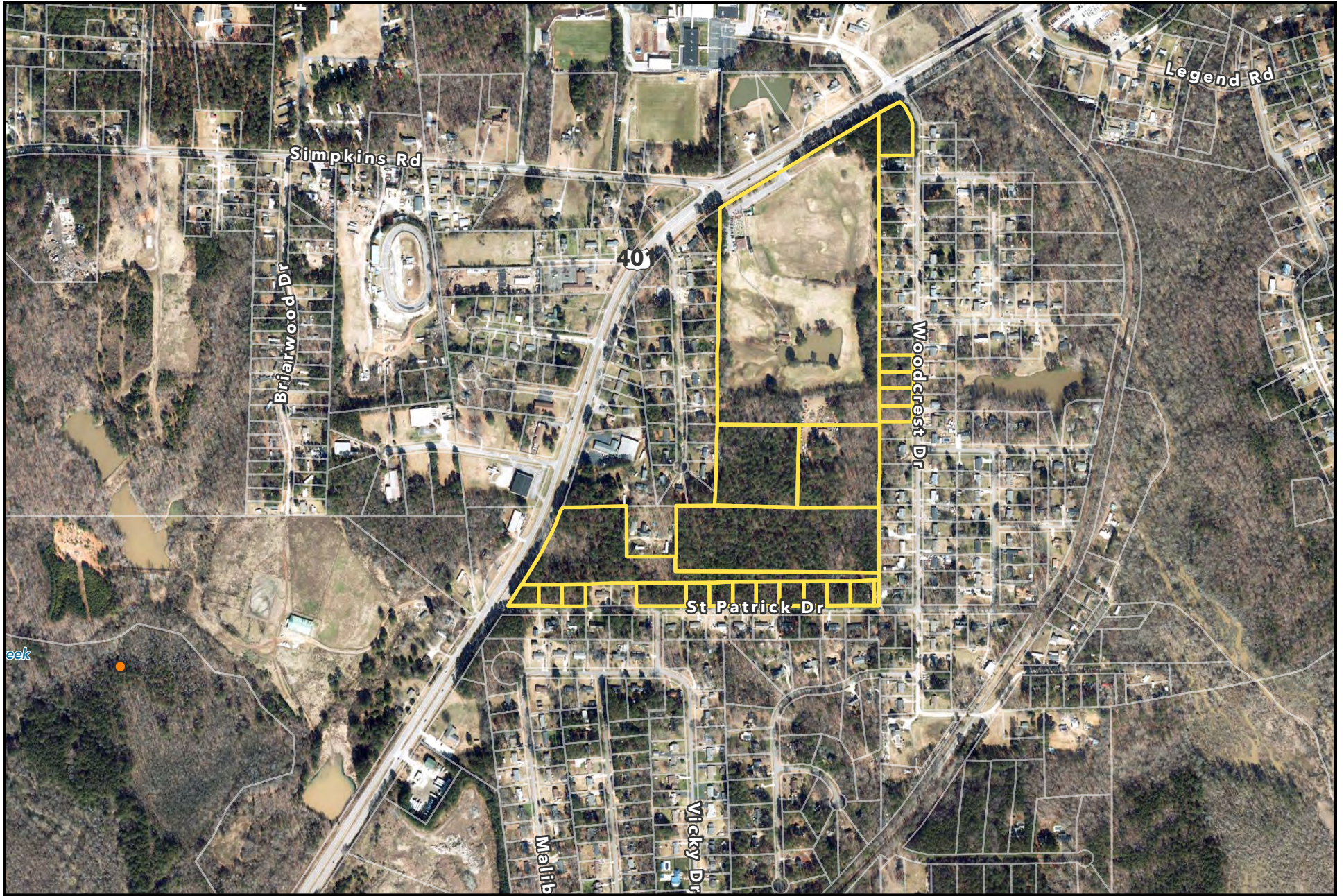
If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at 919-610-7377 or [holloman@mcadamsco.com](mailto:holloman@mcadamsco.com). We look forward to seeing you at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

Sincerely,  
**MCADAMS**

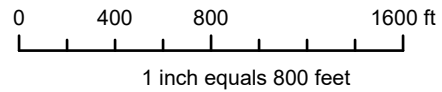


Laura Holloman, AICP  
Sr Planner, Planning + Design





**401 Crossing Map**



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



**Neighborhood Meeting Sign-In Sheet**

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

**Neighborhood Meeting Sign-In Sheet**

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



**Neighborhood Meeting Sign-In Sheet**

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



## 401 Crossing 5/16 Neighborhood Meeting Minutes

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

Meeting Start time: 6:00

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

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

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

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

Meeting End time: 8 pm

March 1, 2023

**RE: Neighborhood Meeting – 401 Crossing**

Dear Property Owner,

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

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

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

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

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



Sincerely,  
**MCADAMS**

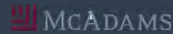


Laura Holloman, AICP  
Team Leader, Planning + Design

# 401 Crossing Planned Unit Development Rezoning

March 14, 2023

## Neighborhood Meeting



1

## Rezoning: The Process



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



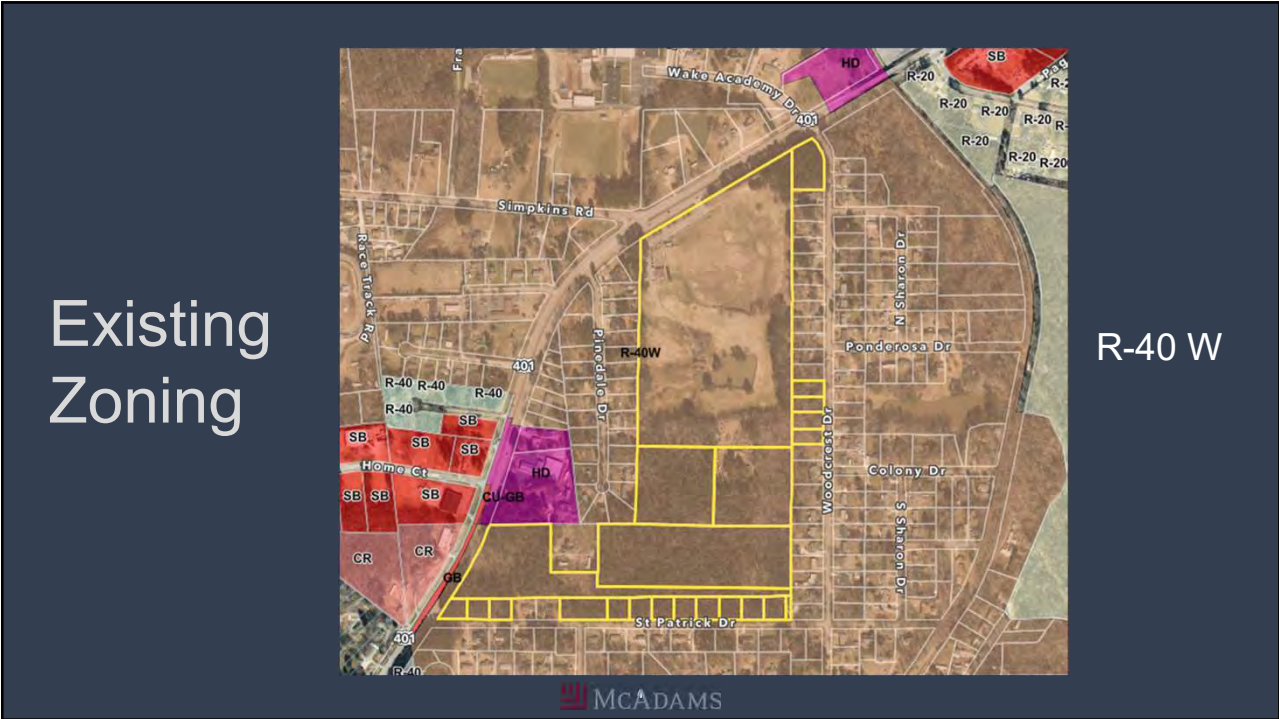
2



Project Site

MCADAMS

3



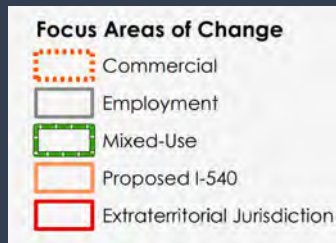
Existing Zoning

R-40 W

MCADAMS

4

# Garner Future Land Use Map



MCADAMS

5

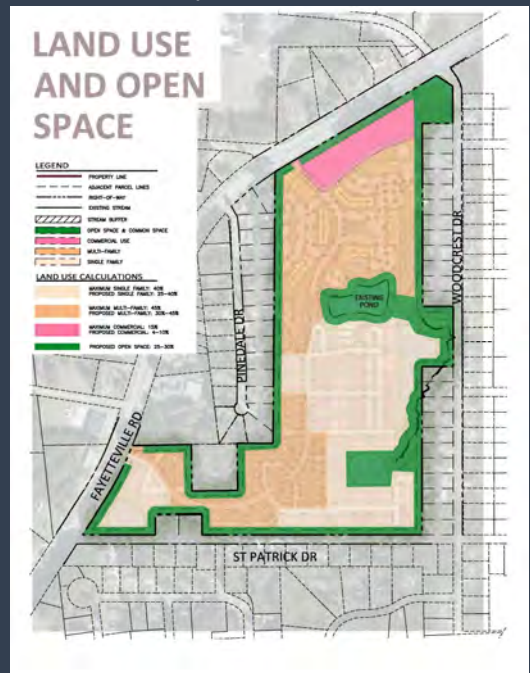
Initial Proposed PUD Elements



MCADAMS

6

Current Proposed PUD Elements





# Concept Plan



7

## Proposed Elevations- Cottages



MCADAMS

8



## Proposed Elevations- Townhomes



MCADAMS

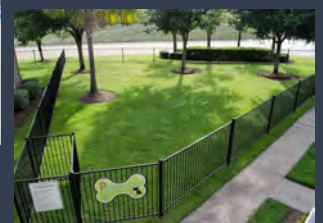
9

## IMPROVED OPEN SPACE



OPEN SPACE + AMENITIES 33

## Proposed Open Space



MCADAMS

10



Neighborhood Meeting Sign-In Sheet

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



Neighborhood Meeting Sign-In Sheet

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

## 401 Crossing Neighborhood Q&A

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

September 1, 2023

**RE: Neighborhood Meeting – 401 Crossing**

Dear Property Owner,

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

**September 14, 2023**

**6:00-7:00PM**

**Garner Senior Center**

**205 E Garner Road**

**Raleigh, NC 27529**

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

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

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

Sincerely,

**MCADAMS**



Laura Holloman, AICP

Team Leader, Planning + Design

# 401 Crossing Planned Unit Development Rezoning

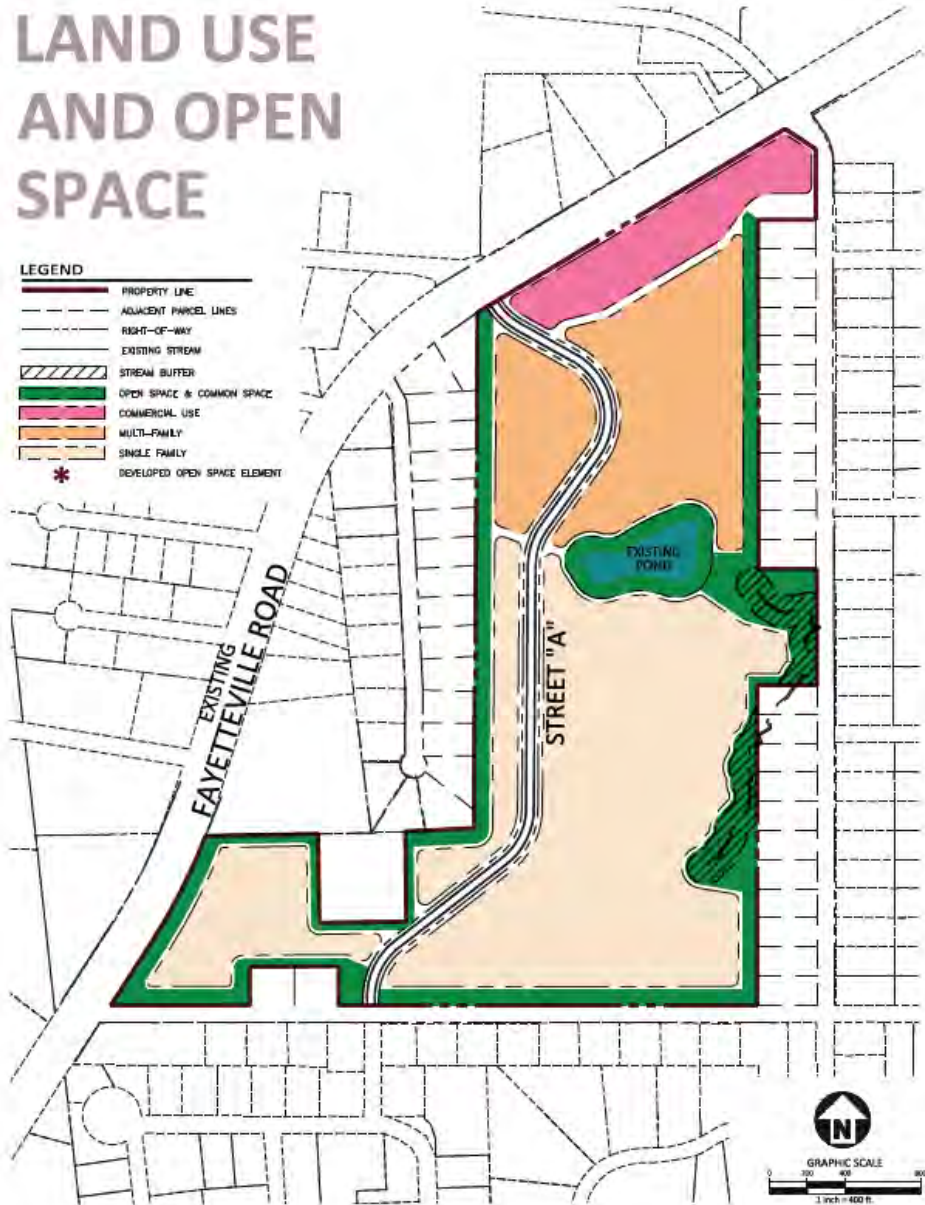
September 14, 2023

## Neighborhood Meeting

# Initial Proposed PUD Elements

## LAND USE AND OPEN SPACE

- LEGEND**
- PROPERTY LINE
  - - - ADJACENT PARCEL LINES
  - RIGHT-OF-WAY
  - EXISTING STREAM
  - ▨ STREAM BUFFER
  - OPEN SPACE & COMMON SPACE
  - COMMERCIAL USE
  - MULTI-FAMILY
  - SINGLE FAMILY
  - \* DEVELOPED OPEN SPACE ELEMENT



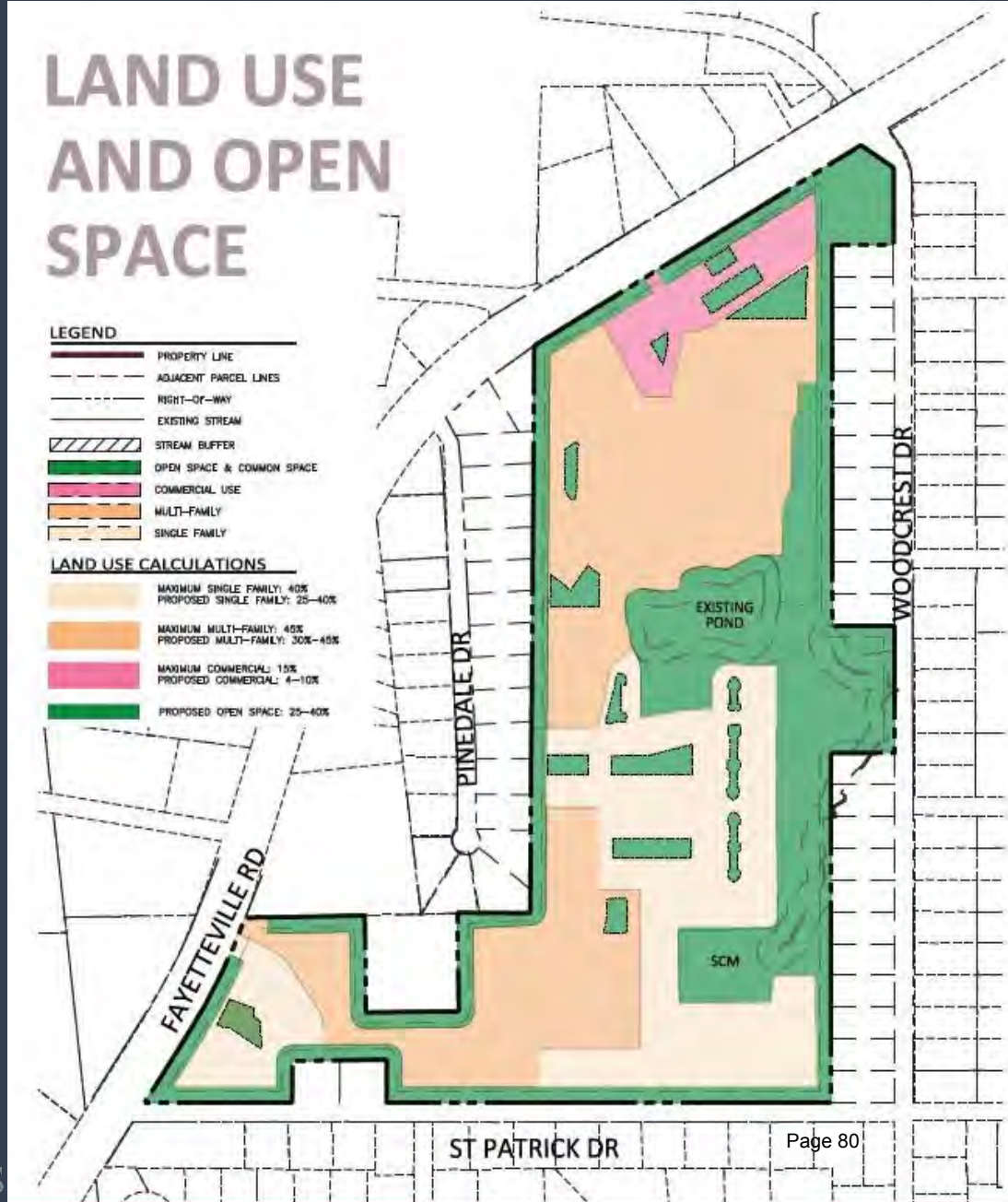
# Current Proposed PUD Elements

## LAND USE AND OPEN SPACE

- LEGEND**
- PROPERTY LINE
  - - - ADJACENT PARCEL LINES
  - RIGHT-OF-WAY
  - EXISTING STREAM
  - ▨ STREAM BUFFER
  - OPEN SPACE & COMMON SPACE
  - COMMERCIAL USE
  - MULTI-FAMILY
  - SINGLE FAMILY

**LAND USE CALCULATIONS**

- MAXIMUM SINGLE FAMILY: 40%  
PROPOSED SINGLE FAMILY: 25-40%
- MAXIMUM MULTI-FAMILY: 45%  
PROPOSED MULTI-FAMILY: 30%-45%
- MAXIMUM COMMERCIAL: 15%  
PROPOSED COMMERCIAL: 4-10%
- PROPOSED OPEN SPACE: 25-40%





# Concept Plan





# Proposed Open Space



**A: PLANTED LINEAR PARK**



**D: VILLAGE GREEN**



**E: PARKLET**

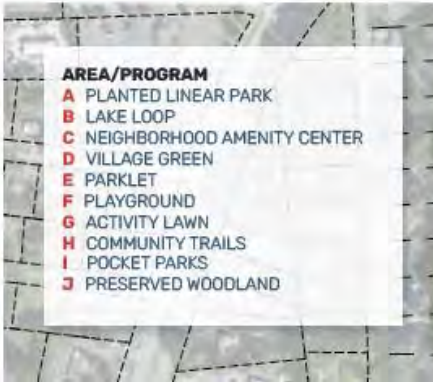


**F: PLAYGROUND**



**B: LAKE LOOP**

- AREA/PROGRAM**
- A** PLANTED LINEAR PARK
  - B** LAKE LOOP
  - C** NEIGHBORHOOD AMENITY CENTER
  - D** VILLAGE GREEN
  - E** PARKLET
  - F** PLAYGROUND
  - G** ACTIVITY LAWN
  - H** COMMUNITY TRAILS
  - I** POCKET PARKS
  - J** PRESERVED WOODLAND



**G: ACTIVITY LAWN**



**H: COMMUNITY TRAILS**



**C: NEIGHBORHOOD AMENITY CENTER**



**I: POCKET PARKS**



**J: PRESERVED WOODLAND**



# Open Space Details

- a) The Planted Linear Park will provide approximately 500 linear feet of planted park offering shade and space for active recreation, like walking, biking, or jogging.
- b) The Trail & Arbor offers 401 Crossing users with opportunities of an enchanted gathering space nestled in nature and worthy of social media posts.
- c) The Commercial Green Spaces provide multiple places for reprieve from the bustling activity to enjoy lunch and people watch, allow kids to get their energy out after a bite, all while taking advantage of being outside!
- d) The Fire Pit & Community Gathering at 401 crossing will provide the modern-day fire pit and seating, allowing neighbors to interact during the evening and weekend hours, all from the comforts, all within a stroll of their front doors.
- e) The Playground provides children a place to play freely.
- f) The Open Lawns will provide multiple, wide open green fields, each approximately 18,000 SF in size, providing residents of all ages, that unrestricted greenspace of our past, ideal for playing tag or a pick-up ball game.
- g) Community Trails will connect the abundance of amenities throughout the development, weaving residents together and allowing all to have a neighborhood loop to enjoy.
- h) The Hammocks, Swings & Seating areas will be modern-day tuffets, allowing adults to experience the whimsy hangs of yesteryear.

# Open Space Details

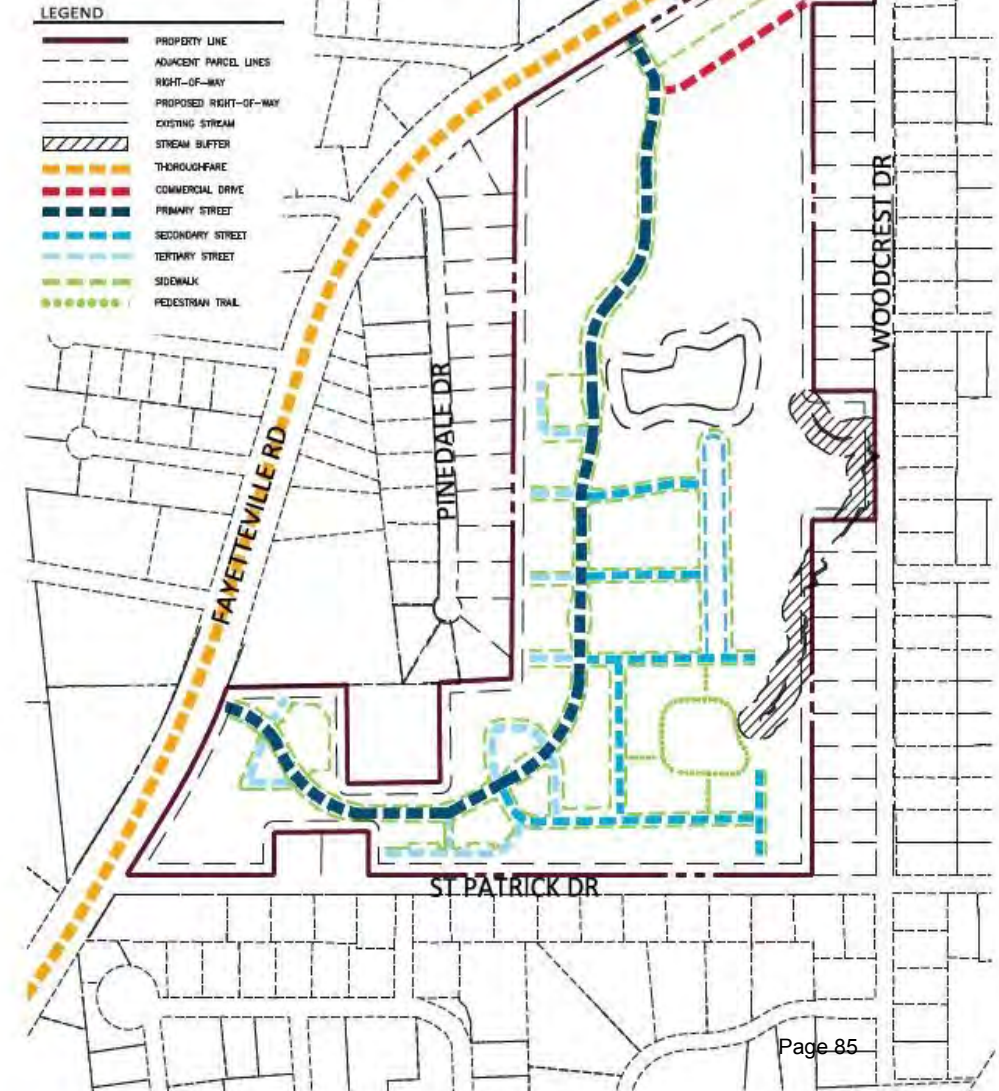
Area	Program	Minimum SF (+/-)	Quantity	Total
A	Linear Park	17,000	1	17,000
B	Lake Loop	100,000	1	100,000
C	Neighborhood Amenity Center	16,500	1	16,500
D	Village Green	18,000	1	18,000
E	Parklet	7,500	1	7,500
F	Playground	8,000	2	16,000
G	Activity Lawns	18,000	5	90,000
H	Community Trails	90,000	1	90,000
I	Pocket Parks	2,000	3	6,000
J	Preserved Wood-land	60,984	1	60,984

Total Minimum Activated Open Space Provided in square feet: 421,984

Total Minimum Activated Open Space Provided in acres: 9.69

# Proposed Circulation

## VEHICULAR AND PEDESTRIAN CIRCULATION



# Additional Neighborhood Meeting

Monday September 25

6:00pm-7:00pm

Garner Performing Arts Center

742 W. Garner Road, Garner, NC 27529



Neighborhood Meeting Sign-In Sheet

Name	Address	Email
Steve Thomas	1820 Saint Patrick Dr. 27603	sjthomas6@ncsu.edu
Adam Block	5618 Woodcrest Dr	audioadam@gmail.com
Pammy & Carolyn Bell	5716 Woodcrest Dr	dbell514@aol.com
Bobby Dunnean	5726 Woodcrest Dr	Bx2863@ymail.com
Carol Dunnean	5726 Woodcrest Dr	cc
Larry & Judy Luchie	1525 St. Patrick Dr.	larchiejr@mc.rrt.com judy.archie@yahoo.com
CARSTOPESHINTS	5721 St Patrick Dr	CARLTONSAVED@gmail.com
Sharon Smith	1913 St. Patrick Drive	sbsmith7@gmail.com
BRADLEY MORROW	5908 WOODCREST DR	BRAD27511REGMAIL.CO2
Rose Carroll	1715 St. Patrick Dr. Raleigh, NC 27603	mearl@bellsouth.net
John Cooke	1903 St. Patrick Dr. 27603	jctcooke@gmail.com
Anna G Collins	6113 Vicky Drive Raleigh, NC 27603	Chunterc@nc.rrt.com
NANCY HEARN	6128 Vicky Dr. Raleigh 27603	PH725@yahoo.com
EVELYN CLOWERS	1517 St. Patrick Dr. Raleigh 27603	esclowers@aol.com
Joe Milillo	1717 Pinedale Dr Raleigh 27603	jim317@mail.harvard.edu

Neighborhood Meeting Sign-In Sheet

Name	Address	Email
PETER HEARD	6128 VICKY DR	PH7250/AHOI.COM
Michael Sturgill	1712 Pinedale Dr	MISTURGITL@NINDSPRING.COM
Brad Habeeb	5834 Woodcrest Dr.	bradhabeebphotography@gmail
Emily Waters	1903 Saint Patrick Dr. <sup>Raleigh</sup>	hcwaters@gmail.com
John Cooter	"	jctcooter@gmail.com
Kevin Adams	5703 N. Sharon Dr 27103	KevinAdams864@GMAIL.COM

## 401 Crossing Neighborhood Meeting Summary

21 Neighbors were in attendance

Michael Birch, Woodie Williams, Laura Holloman, and Kate Murdoch were in attendance to represent the project.

The meeting began at 6:00pm.

Michael Birch provided a brief overview of the updates that had been made to the project including building height limitations, construction parking and environmental quality concerns. Several neighbors expressed concerns about the environmental impacts of the project and of how the environmental studies were conducted. Michael Birch explained that the environmental report evaluated the current environmental conditions of the site and noted that no major concerns were raised in the report. He also noted that the site would be monitored for environmental impacts throughout construction.

Neighbors also expressed frustration that they were unable to increase the impervious surface of their lots, but that this development could go ahead in spite of that. Michael Birch explained the Swift Creek Watershed Overlay standards for different uses and how the project fell into different use categories than the single-family detached homes surrounding the site.

There were also a number of questions and concerns raised about sewer and water locations. Michael and Laura clarified that sewer would be connected to a pump station to the east of the site. Woodie clarified that water would be coming from the north, near the Wake Christian Academy.

Neighbors also had questions regarding the open space on the site and what it would be. Laura explained that the buffers, SCMs, and natural areas would count towards open space. She added that there will also be a number of amenitized open space features including trails, playgrounds, pocket parks, play lawns, and seating, as well as amenity centers.

Several neighbors expressed interest in a fence being included in the perimeter buffer. Michael, Woodie, and Laura noted that a fence would limit the amount of plantings and increase the need for intense maintenance of the fence, which could be undesirable, especially regarding concerns about tree save.

Parking was another major concern raised by the neighbors. There were several questions raised about how much parking would be provided for the project and whether or not that would be an adequate amount of parking. Michael and Laura stated that the project would need to be meet the Town of Garner's parking standards for the development and unit types. Neighbors still expressed concern that residents of 401 Crossing would end up parking on St. Patrick Drive and Woodcrest. The development team added that without any vehicular connections to those streets, it would be difficult for residents of 401 Crossing to park on those streets.

The TIA and traffic impacts of the development were of significant concern as well. Michael Birch outlined the process for the TIA to the group and explained the projects which were accounted for at the time, and the rates of growth that were included as part of the standard TIA process. Neighbors also expressed concerns about DOT's lack of funding and the lack of express NCDOT driveway approval for the project. Michael explained that NCDOT cannot issue a driveway permit for a project before it has received zoning approval. A question was raised about why the driveway for the site is not aligned with

the intersection at Simpkins Road. Woodie explained that NCDOT asked for the drive to be moved based on the number of crashes and incidents at the existing Simpkins Road intersection.

Concerns were raised about forced annexation into by a few neighbors. Michael explained that under North Carolina state law, annexations must be voluntary and no one can be forced to annex their property into a town's corporate limits.

The construction timeline for the buildout of the project was discussed at the end of the meeting. Michael explained that it would like be at least 18-24 months before any construction begins and that the project, if approved for the rezoning, would still need to go through a site plan approval process. The full build-out of the project is likely 5-7 years down the road.



September 14, 2023

**RE: Neighborhood Meeting – 401 Crossing**

Dear Property Owner,

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

**September 25, 2023**  
**6:00-7:00PM**  
**Garner Performing Arts Center**  
**742 W. Garner Road**  
**Garner NC, 27529**

Per Town of Garner ordinance requirements, we are notifying you of this meeting because your property is located within the written notification area for public hearings. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to more fully understand the proposed project.

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

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

Sincerely,

**MCADAMS**



Laura Holloman, AICP

Team Leader, Planning + Design

# 401 Crossing Planned Unit Development Rezoning

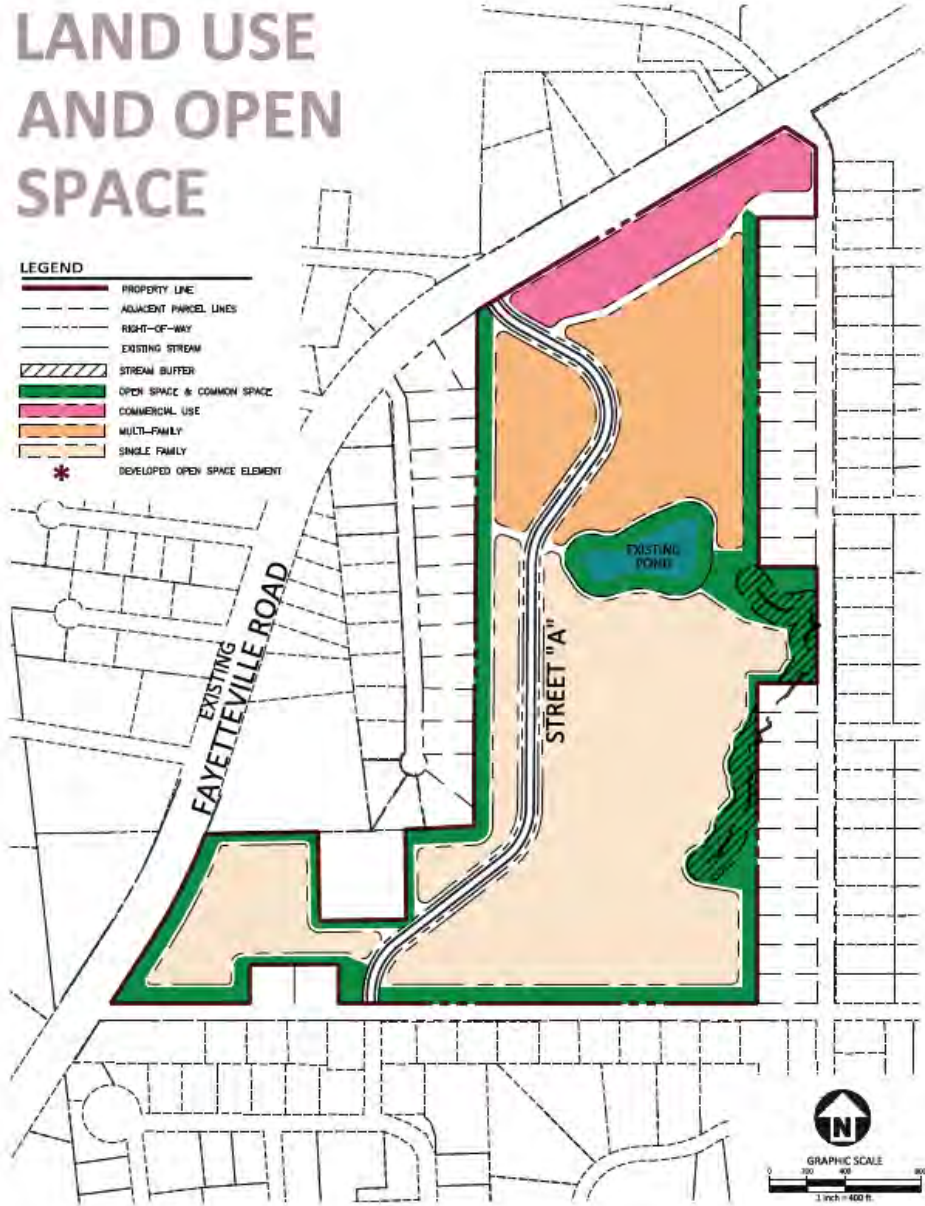
September 25, 2023

## Neighborhood Meeting

# Initial Proposed PUD Elements

## LAND USE AND OPEN SPACE

- LEGEND**
- PROPERTY LINE
  - - - ADJACENT PARCEL LINES
  - - - RIGHT-OF-WAY
  - EXISTING STREAM
  - ▨ STREAM BUFFER
  - OPEN SPACE & COMMON SPACE
  - COMMERCIAL USE
  - MULTI-FAMILY
  - SINGLE FAMILY
  - \* DEVELOPED OPEN SPACE ELEMENT



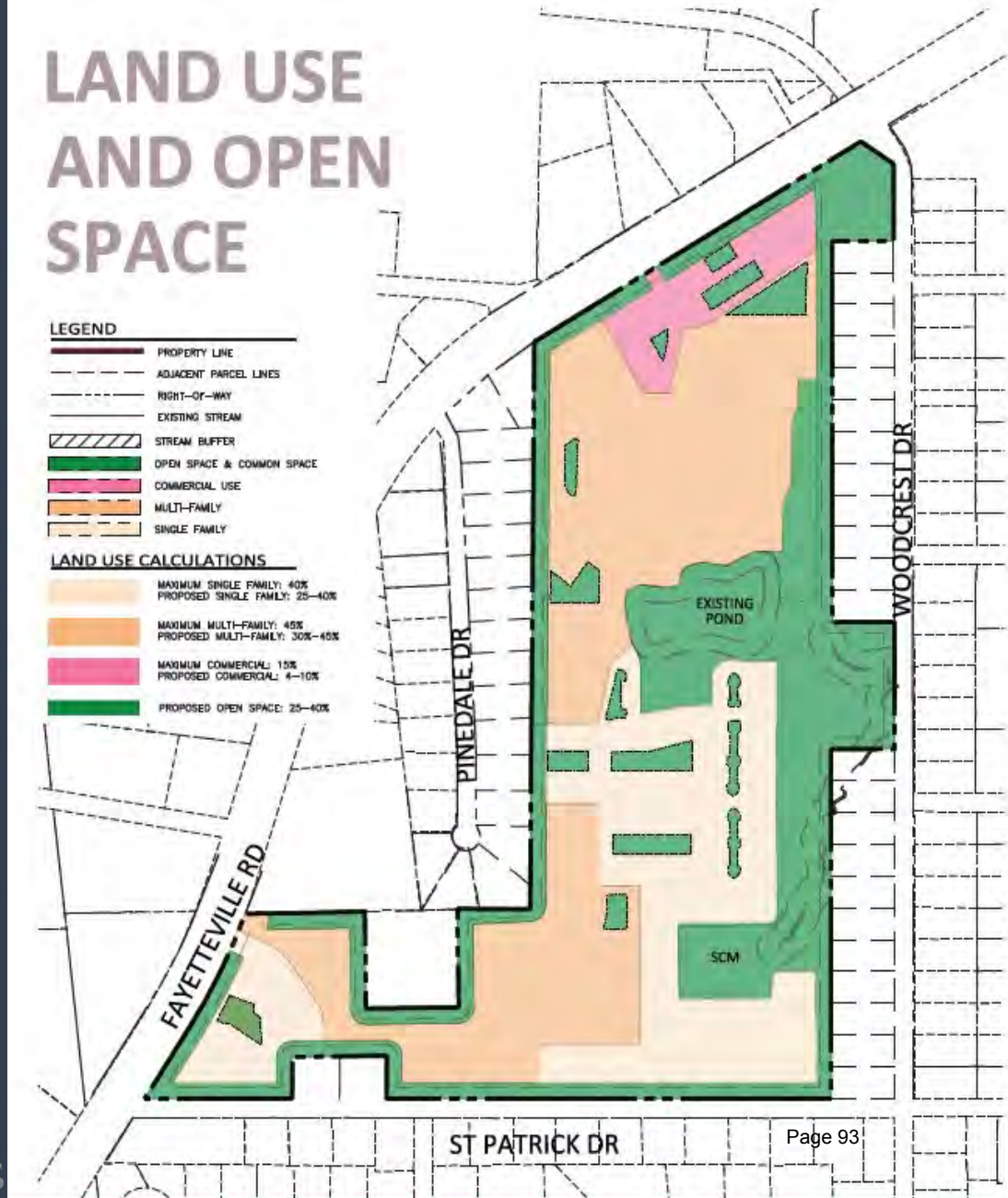
# Current Proposed PUD Elements

## LAND USE AND OPEN SPACE

- LEGEND**
- PROPERTY LINE
  - - - ADJACENT PARCEL LINES
  - - - RIGHT-OF-WAY
  - EXISTING STREAM
  - ▨ STREAM BUFFER
  - OPEN SPACE & COMMON SPACE
  - COMMERCIAL USE
  - MULTI-FAMILY
  - SINGLE FAMILY

**LAND USE CALCULATIONS**

- MAXIMUM SINGLE FAMILY: 40%  
PROPOSED SINGLE FAMILY: 25-40%
- MAXIMUM MULTI-FAMILY: 45%  
PROPOSED MULTI-FAMILY: 30%-45%
- MAXIMUM COMMERCIAL: 15%  
PROPOSED COMMERCIAL: 4-10%
- PROPOSED OPEN SPACE: 25-40%





# Concept Plan





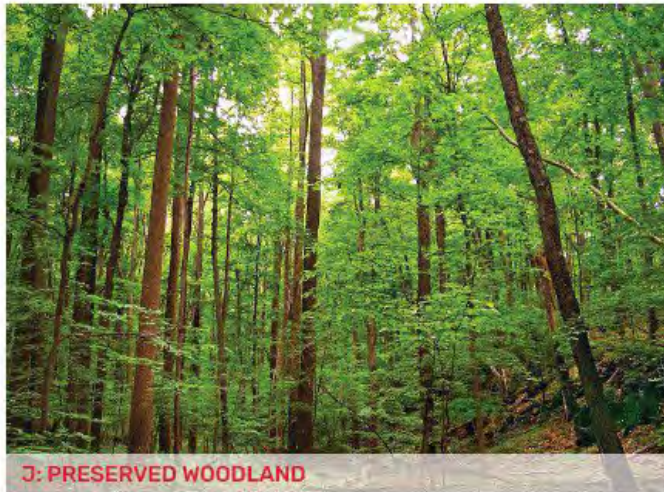
# OPEN SPACE COMMERCIAL



D: VILLAGE GREEN



G: ACTIVITY LAWN



J: PRESERVED WOODLAND

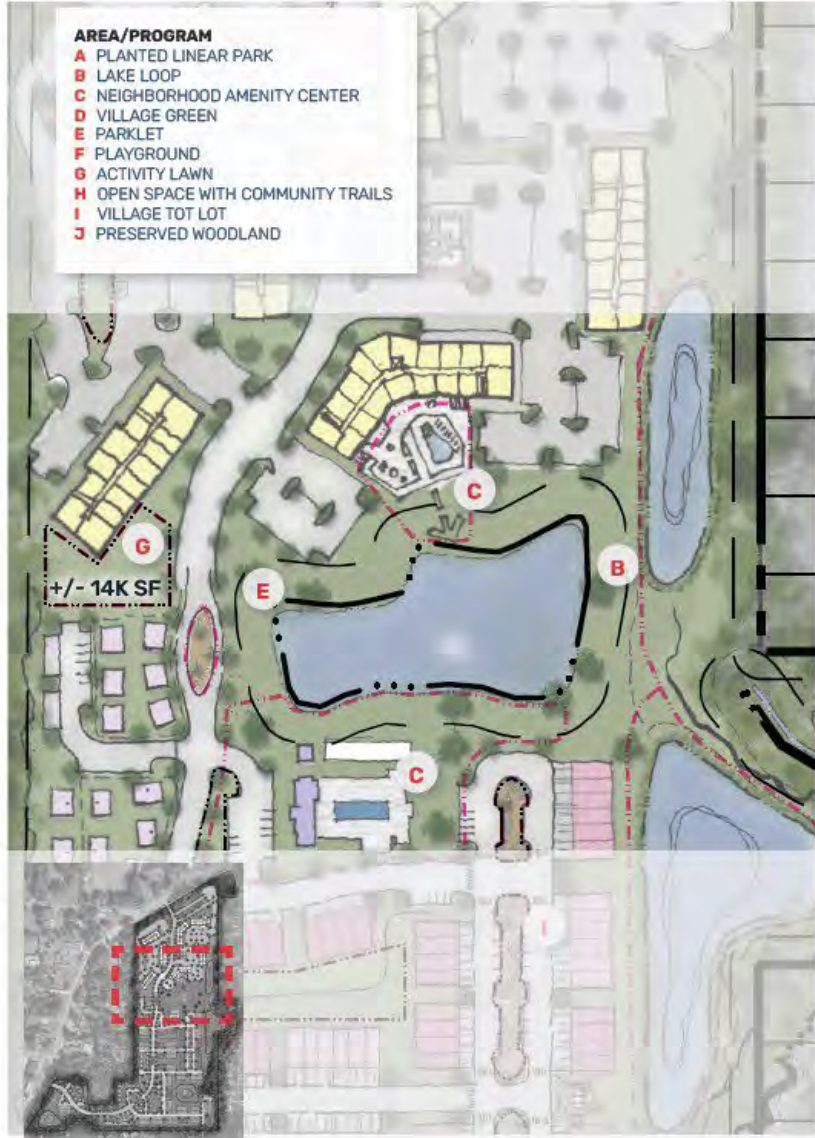


H: HARDWOOD HAVEN



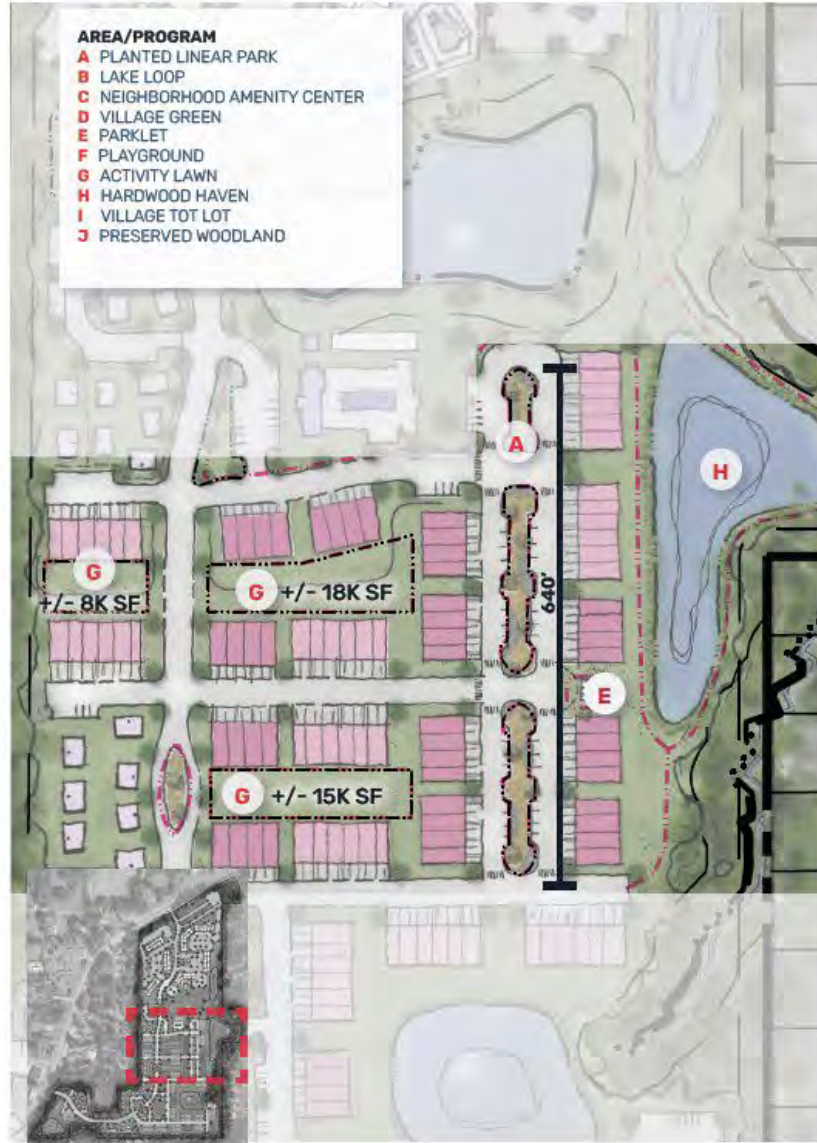


# OPEN SPACE MULTI-FAMILY





# OPEN SPACE TOWNHOMES



A: PLANTED LINEAR PARK



H: HARDWOOD HAVEN



G: ACTIVITY LAWN



E: PARKLET



# OPEN SPACE COTTAGE COURT & TOWNHOMES

- AREA/PROGRAM**
- A** PLANTED LINEAR PARK
  - B** LAKE LOOP
  - C** NEIGHBORHOOD AMENITY CENTER
  - D** VILLAGE GREEN
  - E** PARKLET
  - F** PLAYGROUND
  - G** ACTIVITY LAWN
  - H** COMMUNITY TRAILS
  - I** VILLAGE TOT LOT
  - J** PRESERVED WOODLAND



**F: PLAYGROUND**



**E: PARKLET**



**I: VILLAGE TOT LOT**



# Open Space Details

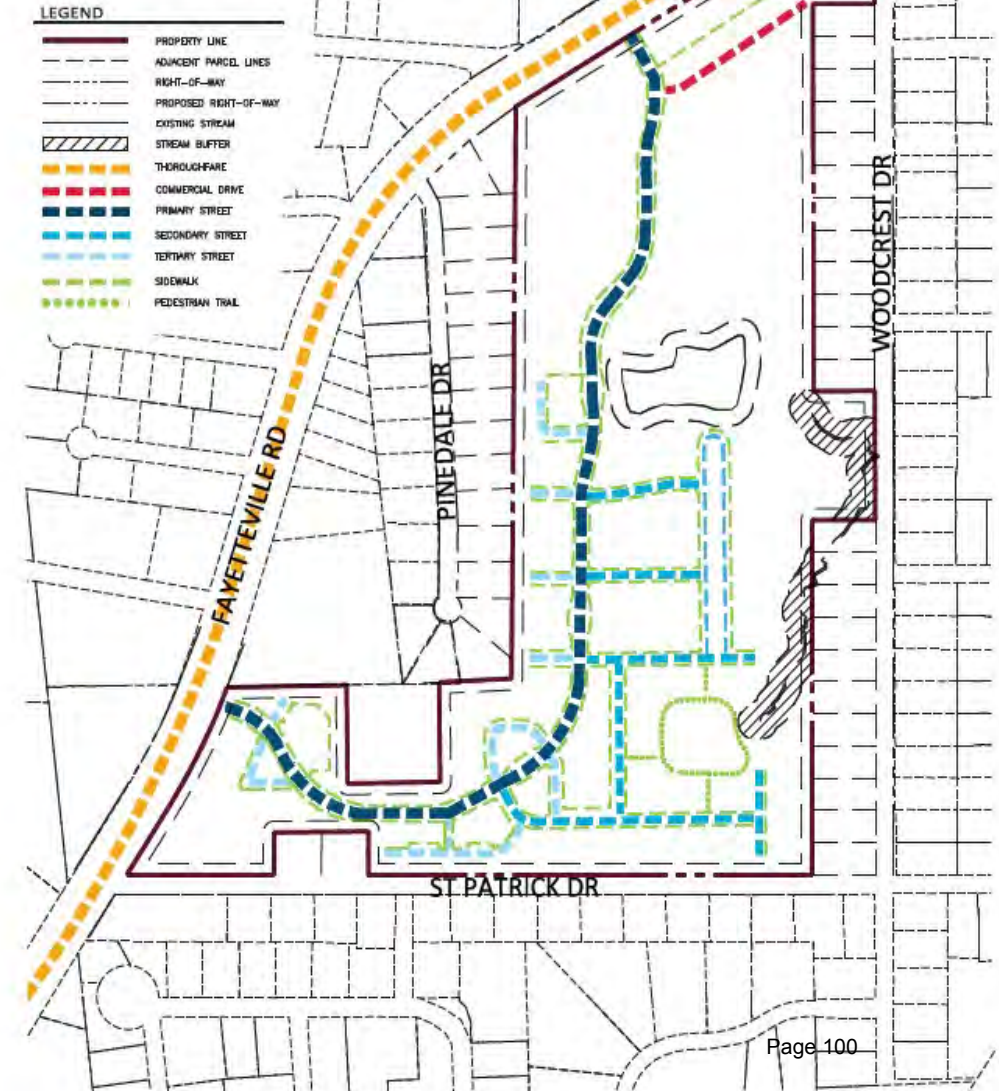
Area	Program	Minimum SF (+/-)	Quantity	Total SF (+/-)
A	Linear Park	17,000	1	17,000
B	Lake Loop	100,000	1	100,000
C	Neighborhood Amenity Center	16,500	1	16,500
D	Village Green	18,000	1	18,000
E	Parklet	7,500	1	7,500
F	Playground	8,000	2	16,000
G	Activity Lawns	18,000	5	90,000
H	Hardwood Haven	90,000	1	90,000
I	Pocket Parks	2,000	3	6,000
J	Preserved Wood-land	60,984	1	60,984

Total Minimum Activated Open Space Provided in square feet: 421,984

Total Minimum Activated Open Space Provided in acres: 9.69

# Proposed Circulation

## VEHICULAR AND PEDESTRIAN CIRCULATION



1504 HARMONT DRIVE LLC  
210 N COLUMBIA ST  
CHAPEL HILL NC 27514-3501

1607 SAINT PATRICK DRIVE, LLC  
PAUL M DUBBELING  
210 N COLUMBIA ST  
CHAPEL HILL NC 27514-3501

ABERNATHY, RICHARD ABERNATHY, JOYCE  
626 WOODLAND RD  
RALEIGH NC 27603-4742

ACG ALL STAR LLC  
2054 KILDAIRE FARM RD # 413  
CARY NC 27518-6614

ADAM, JONATHAN  
5937 WOODCREST DR  
RALEIGH NC 27603-4655

ADAMS, CORA L  
1613 SAINT PATRICK DR  
RALEIGH NC 27603-4911

ADAMS, KEVIN D ADAMS, ERICA W  
1409 PONDEROSA DR  
RALEIGH NC 27603-4637

ADAMS, KEVIN D ADAMS, ERICA W  
5703 N SHARON DR  
RALEIGH NC 27603-4641

ADAMS, KIMBERLY BEST  
134 RED BIRD LN  
HAMPSTEAD NC 28443-2400

ALEXIEVA, PAVLETA HABEEB, BRADLEY  
5834 WOODCREST DR  
RALEIGH NC 27603-4654

AMERICAN IRA, LLC FBO CATHERINE MURPHY 401K  
135 BROAD ST  
ASHEVILLE NC 28801-1985

ANEX, GREGORY  
5927 WOODCREST DR  
RALEIGH NC 27603-4655

ANEX, GREGORY M  
5931 WOODCREST DR  
RALEIGH NC 27603-4655

AQUA NORTH CAROLINA, INC.  
202 MACKENAN DR  
CARY NC 27511-6447

ARCHIE, LARRY T JR ARCHIE, JUDY B  
1525 SAINT PATRICK DR  
RALEIGH NC 27603-4909

ARELLANES-MENDOZA, EVELIA  
5825 WOODCREST DR  
RALEIGH NC 27603-4653

ARVIN, JAMES LEE  
7600 LAKE WHEELER RD  
RALEIGH NC 27603-5132

ASHBY, CARLTON S & CONNIE B HEIRS  
CARLTON S ASHBY JR EXEC  
6912 PENNY RD  
RALEIGH NC 27606-9318

ASHBY, CARLTON STEPHEN III  
5708 DUTCH CREEK DR  
RALEIGH NC 27606-8600

BELL, CAROLYN B BELL, DANNY L  
5716 WOODCREST DR  
RALEIGH NC 27603-4652

BERDUO, ROLANDO MORALES ORTIZ ROBLERO,  
FLORISELDA ICENIA  
5735 WOODCREST DR  
RALEIGH NC 27603-4651

BEST INVESTMENT REALTY LLC  
166 BONICA CREEK DR  
GARNER NC 27529-5097

BLANTON, NATHAN YEN, HSIANG-TING  
1709 SAINT PATRICK DR  
RALEIGH NC 27603-4913

BLOCK, ADAM  
5618 WOODCREST DR  
RALEIGH NC 27603-4650

BLUE OAK INVESTING LLC  
7608 GOLD MINE CT  
RALEIGH NC 27615-6007

BURKE, JERRY BURKE, CYNTHIA  
5803 WOODCREST DR  
RALEIGH NC 27603-4653

CANTER, DIONNE LEIGH NAULT, LISA  
5739 WOODCREST DR  
RALEIGH NC 27603-4651

CARINCI, SHERE WILLIAMS CARINCI, GEORGE P  
1813 SAINT PATRICK DR  
RALEIGH NC 27603-4915

CARROLL, WILLIE M CARROLL, ORA ROSE C  
1715 SAINT PATRICK DR  
RALEIGH NC 27603-4913

CASSIDY, PATRICK CASSIDY, TIFFANY R  
5911 WOODCREST DR  
RALEIGH NC 27603-4655

CHURCH, BRAD EVERIDGE  
5613 WOODCREST DR  
RALEIGH NC 27603-4649

CHURCH, DAVID A CHURCH, WANDA C  
5809 WOODCREST DR  
RALEIGH NC 27603-4653

CHURCH, DAVID ALBERT CHURCH, WANDA CRABTREE  
5815 WOODCREST DR  
RALEIGH NC 27603-4653

CLAYTON PROPERTIES GROUP INC  
5000 CLAYTON RD  
MARYVILLE TN 37804-5550

CLEAVER, MICHAEL O  
1721 SAINT PATRICK DR  
RALEIGH NC 27603-4913

CLIFT, SARAH CUTLER  
5907 WOODCREST DR  
RALEIGH NC 27603-4655

CLODFELTER, RYAN C  
1601 PINEDALE DR  
RALEIGH NC 27603-4533

CLOWERS, EVELYN S  
1517 SAINT PATRICK DR  
RALEIGH NC 27603-4909

COOTER, JOHN C WATERS, EMILY S  
1903 SAINT PATRICK DR  
RALEIGH NC 27603-4917

CORTEZ, ANGELITA ALCAUTER, RUBEN FLORES  
5512 W PLANTATION CIR  
RALEIGH NC 27603-4648

CREECH, CAROLYN T CREECH, CAROL-LYNN  
5725 WOODCREST DR  
RALEIGH NC 27603-4651

DUNCAN, BOBBY L DUNCAN, CAROL C  
5726 WOODCREST DR  
RALEIGH NC 27603-4652

EUTSLER, DAVID L  
1704 PINEDALE DR  
RALEIGH NC 27603-4536

FADOIL, JEROME J FADOIL, CYNTHIA B  
1804 PINEDALE DR  
RALEIGH NC 27603-4538

FARZANA INVESTMENT INC  
3913 DEVAN OAKS WAY  
RALEIGH NC 27606-4350

FAYETTEVILLE ROAD PROPERTIES LLC  
1212 HOME CT  
RALEIGH NC 27603-4541

FERNANDEZ, BLADIMIRO J JR FERNANDEZ, KAREN DIANE  
1805 SAINT PATRICK DR  
RALEIGH NC 27603-4915

FLORES, ARIEL FLORES JARAMILLO, VANESSA GARCIA  
1808 PINEDALE DR  
RALEIGH NC 27603-4538

FOUR O ONE SOUTH LLC  
6912 PENNY RD  
RALEIGH NC 27606-9318

FRANKS, GARY LEE FRANKS, SHANNON DEANS  
5626 FAYETTEVILLE RD  
RALEIGH NC 27603-4126

GONZALEZ, RODRIGO JIMENEZ  
5619 WOODCREST DR  
RALEIGH NC 27603-4649

GOWER, CLARENCE W GOWER, SHIRLEY M  
1604 PINEDALE DR  
RALEIGH NC 27603-4534

GOWER, CLARENCE WINFIELD GOWER, SHIRLEY M  
1608 PINEDALE DR  
RALEIGH NC 27603-4534

HAMILTON, MELISSA W HAMILTON, LINWOOD L JR  
5512 DIANE DR  
RALEIGH NC 27603-4122

HICKS, LORI DALE BRASWELL, AMANDA  
5706 FAYETTEVILLE RD  
RALEIGH NC 27603-4526

HILL, DARRYL HILL, ANGELA  
1613 PINEDALE DR  
RALEIGH NC 27603-4533

HOANG, KIM TIEN  
6109 VICKY DR  
RALEIGH NC 27603-4923

HOLLAND, MICKEY LEE JR MILLER, SARA NICOLE  
6100 MALIBU DR  
RALEIGH NC 27603-4902

HOME COURT PROPERTIES LLC  
1212 HOME CT  
RALEIGH NC 27603-4541

HOWELL-GARNER LLC  
14216 WYNDFIELD CIR  
RALEIGH NC 27615-1317



HUDGINS, PETER DANIEL JR HUDGINS, LENA R  
432 BROOKCLIFF LN  
CARY NC 27511-5603

IGLESIAS, LEOVIGILDO MORA, EUNISSE GONZALEZ  
1609 PINEDALE DR  
RALEIGH NC 27603-4533

ISLEEM, AHMED JOUDEH, MOHAMMAD  
103 MINDEN LN  
CARY NC 27513-6292

JELOKHANI, ZOL ALEXANDER  
1819 SAINT PATRICK DR  
RALEIGH NC 27603-4915

JOHNSON, JOHNNY DAREN  
6200 MALIBU DR  
RALEIGH NC 27603-4904

JOHNSON, L ALTON HEIRS  
C/O JOSEPH IRA LEE  
501 MARLOWE RD  
RALEIGH NC 27609-7019

JOHNSON, TIMOTHY L JOHNSON, TRACIE M  
1516 HARMONT DR  
RALEIGH NC 27603-4936

JUSINO, ANTHONY LEBOVICH, MAYA  
1409 PONDEROSA DR  
RALEIGH NC 27603-4637

KEENAN, COLIN COOK, JULIE  
5734 WOODCREST DR  
RALEIGH NC 27603-4652

KIRKS, KRANDON K  
5715 WOODCREST DR  
RALEIGH NC 27603-4651

KLEIN, JANA I  
1401 VALLEY DR  
RALEIGH NC 27603-4645

LEE, ASHLYN STYNE  
4630 INWOOD RD  
RALEIGH NC 27603-3997

LEE, JOSEPH I III TRUSTEE THE JOSEPH I LEE JR RVCBLE  
TRUST  
501 MARLOWE RD  
RALEIGH NC 27609-7019

LEE, JOSEPH IRA III  
4200 GLEN LAUREL DR  
RALEIGH NC 27612-3704

LEE, RUTH JOHNSON  
501 MARLOWE RD  
RALEIGH NC 27609-7019

LINTON, ANGELA TANT  
1816 PINEDALE DR  
RALEIGH NC 27603-4538

MARIN, SERGIO ROSAS CERVANTES SANCHEZ, CARLA  
BRICEIDA  
5730 WOODCREST DR  
RALEIGH NC 27603-4652

MARKEY, ROBERT  
1619 SAINT PATRICK DR  
RALEIGH NC 27603-4911

MASON, STACEY B TRUSTEE JEAN D MASON RVCBLE  
TRUST  
2860 ANFIELD RD  
RALEIGH NC 27606-9279

MATTHEWS, JACK N MATTHEWS, SERNA F  
1812 PINEDALE DR  
RALEIGH NC 27603-4538

MCCASKILL, DEATON B MCCASKILL, SANDY  
1408 COLONY DR  
RALEIGH NC 27603-4608

MILILLO, JOSEPH JAMES CHATTERJEE, DEBALINA  
1717 PINEDALE DR  
RALEIGH NC 27603-4535

MILLER, LARRY THOMAS MANNING, EVE NICOLE M  
LARRY THOMAS MILLER  
7129 ROCK SERVICE STATION RD  
RALEIGH NC 27603-8307

MISNER, FRANCES M HEIRS  
C/O SHARON EFIRD  
5729 WOODCREST DR  
RALEIGH NC 27603-4651

MOLLO, VINCENT J MOLLO, DENISE  
5740 WOODCREST DR  
RALEIGH NC 27603-4652

MONKS PROPERTY LLC  
9301 SMART DR  
RALEIGH NC 27603-8982

MORROW, BRADLEY JAY  
5908 WOODCREST DR  
RALEIGH NC 27603-4656

MORROW, RONALD L MORROW, LINDA E  
1520 HARMONT DR  
RALEIGH NC 27603-4936

MURPHY, JOHN D MURPHY, CATHERINE T  
1809 PINEDALE DR  
RALEIGH NC 27603-4537

NESBITT, CASEY A  
1708 PINEDALE DR  
RALEIGH NC 27603-4536

OBERHOLTZER, WALTER SCOTT OBERHOLTZER, LINDA  
MARIE  
5607 WOODCREST DR  
RALEIGH NC 27603-4649

OUTEN, DEBORAH HEIRS  
ANGIE SIFFORD  
40 GRISSINGER CT  
GARNER NC 27529-8361

OWENS, KIRBY A MONTAGUE, DANIEL TYLER  
5912 WOODCREST DR  
RALEIGH NC 27603-4656

PAKTIAWAL, NOORYA  
1726 CRAG BURN LN  
RALEIGH NC 27604-6900

PARTIN, GEVODA PARTIN, SYLVIA  
5917 WOODCREST DR  
RALEIGH NC 27603-4655

PEARSON, MARY F  
1705 PINEDALE DR  
RALEIGH NC 27603-4535

PENNY, SETH TRUSTEE PENNY FAMILY TRUST  
1302 COLONY DR  
RALEIGH NC 27603-4606

RACKLEY, RALPH C  
6204 MALIBU DR  
RALEIGH NC 27603-4904

RALEIGH RITE LIVING LLC  
303 EVANS ESTATES DR  
CARY NC 27513-9628

REGULES-PEDRO, EDILIA  
1820 PINEDALE DR  
RALEIGH NC 27603-4538

REINIGER, HANS  
1404 VALLEY DR  
RALEIGH NC 27603-4646

RHODES, STEVEN H RHODES, KAREN E  
6108 MALIBU DR  
RALEIGH NC 27603-4902

RIGSBEE, KENNETH SCOTT JR  
1220 MYLYNN DR  
WENDELL NC 27591-7422

ROBERSON, CROSWELL AUGUSTUS III ROBERSON, NINA  
BASS  
6212 MALIBU DR  
RALEIGH NC 27603-4904

RODRIGUEZ, ESTEBAN M SANCHEZ, SONIA JIMENEZ  
5719 FAYETTEVILLE RD  
RALEIGH NC 27603-4525

RS RENTAL I LLC  
31 HUDSON YARDS  
NEW YORK NY 10001-2170

RUMBLE, MICHAEL E RUMBLE, HEIDE W  
5702 WOODCREST DR  
RALEIGH NC 27603-4652

SHARP, DONALD SHARP, JOSEPHINE  
6208 MALIBU DR  
RALEIGH NC 27603-4904

SHEFFIELD, EDWIN L SHEFFIELD, PATRICIA M  
1512 HARMONT DR  
RALEIGH NC 27603-4936

SMITH, DAVID LEE SMITH, SHARON BARNES  
1913 SAINT PATRICK DR  
RALEIGH NC 27603-4917

SMITH, JOSEPH RALPH  
5932 WOODCREST DR  
RALEIGH NC 27603-4656

SOUZA, ROBERT A SOUZA, RENEE F  
5511 WAKE ACADEMY DR  
RALEIGH NC 27603-4119

STEPHENSON, KIMBERLY D BRUMBLES, OWEN MICHAEL JR  
1716 PINEDALE DR  
RALEIGH NC 27603-4536

STEWART, LARRY ANTHONY TRUSTEE STEWART, KATHY B  
TRUSTEE  
1508 HARMONT DR  
RALEIGH NC 27603-4936

STURGILL, MICHAEL C STURGILL, TREVA T  
1712 PINEDALE DR  
RALEIGH NC 27603-4536

SUGGS, WILLIAM BENJAMIN SUGGS, KELLY ERIN  
1703 SAINT PATRICK DR  
RALEIGH NC 27603-4913

TALTON, RAYMOND C TRUSTEE TALTON, HARRIETT C  
TRUSTEE  
5944 FAYETTEVILLE RD  
RALEIGH NC 27603-4530

TANNER, MARIEL  
6012 WOODCREST DR  
RALEIGH NC 27603-4666

THOMAS, NATHAN GOLDBERG, RACHEL  
5938 WOODCREST DR  
RALEIGH NC 27603-4656

THOMAS, STEPHEN JOHN  
1820 SAINT PATRICK DR  
RALEIGH NC 27603-4916

TILLEY, BONNIE B TRUSTEE BUFFALOE FAMILY TRUST  
5521 WAKE ACADEMY DR  
RALEIGH NC 27603-4119

TOMLINSON, THOMAS WILLIAM  
5833 WOODCREST DR  
RALEIGH NC 27603-4653

TOWN OF GARNER  
900 7TH AVE  
GARNER NC 27529-3796

UPCHURCH, SAMUEL WALTER UPCHURCH, DEBORAH  
HONEYCUTT  
5217 PENNY RD  
RALEIGH NC 27606-9037

VALENZUELA, ORFIDIO HOYOS HOYOS, MARLEN  
1319 LEGEND RD  
RALEIGH NC 27603-4623

VANDERWALL, WILLIAM JOHN  
707 ROSEMONT AVE  
RALEIGH NC 27607-7207

WAKE CHRISTIAN ACADEMY INC  
5500 WAKE ACADEMY DR  
RALEIGH NC 27603-4120

WALSH, JAMES A  
1709 PINEDALE DR  
RALEIGH NC 27603-4535

WATKINS, DAISY R  
5928 WOODCREST DR  
RALEIGH NC 27603-4656

WATSON, MELVIN ANDREW  
5942 WOODCREST DR  
RALEIGH NC 27603-4656

WHITAKER, CARLTON  
5921 FAYETTEVILLE RD  
RALEIGH NC 27603-4542

WHITAKER, JOSHUA MICHAEL TRUSTEE THE MICHAEL AND  
JANICE WHITAKER FAMILY TRUST  
2028 SIMPKINS RD  
RALEIGH NC 27603-4518

WHITAKER, ZACHARY BRAXTON TRUSTEE THE MICHAEL  
AND JANICE WHITAKER FAMILY TRUST  
2028 SIMPKINS RD  
RALEIGH NC 27603-4518

WHITAKER, ZACHARY BRAXTON TRUSTEE TRUSTEE OF  
THE MICHAEL AND JANICE WHITAKER FAMILY  
2032 SIMPKINS RD  
RALEIGH NC 27603-4518

WILLIAMS, KIRBY R HUNT-WILLIAMS, YVONNE S  
1713 PINEDALE DR  
RALEIGH NC 27603-4535

WILLIAMS, KURT CAMPBELL WILLIAMS, SUSAN MAE ROSS  
5515 DIANE DR  
RALEIGH NC 27603-4121

WILLIAMS, LYNISIE MAREE BARNES, RYAN AUSTIN  
5712 WOODCREST DR  
RALEIGH NC 27603-4652

WILLIAMS, THOMAS L WILLIAMS, DEBORAH B  
5519 WAKE ACADEMY DR  
RALEIGH NC 27603-4119

WILSON, MARK A  
8316 CROWDER RD  
RALEIGH NC 27603-8728

WOODLIEF, BARBARA M  
1032 RIDGE DR  
CLAYTON NC 27520-9667

WROBEL, CARL  
1812 SAINT PATRICK DR  
RALEIGH NC 27603-4916

Neighborhood Meeting Sign-In Sheet

Name	Address	Email
Steve Thomas	1820 Saint Patrick Drive	stthomas6@encsuedu
BRAD MORGAN	5908 WOODCREST DR	BRAD2751@GMAIL.COM
ROBBY + CAROL DUNCAN	5726 WOODCREST	aded23@gmail.com
DANNY + CAROLYN BELL	5716 Woodcrest Dr.	dbell514@aol.com
Heide Rumble	5702 Woodcrest Dr.	heide.rumble@gmail.com
CARLTON WHITAKER	5921 ST PATRICK / EAGLE HILL DR	CARLTONS@AOL.COM
WALTER OBERHOLTZER	5487 WOODCREST / ARLING	oberholzer71@gmail.com
HRT + Kim Kincaid	6517 MACIBU DRIVE RALEIGH	hkkk43@aol.com
John + Emily Costello	1903 St Patrick Dr. Emirate	JWCOSTELLO@gmail.com
CARA LESADAMS	14135th PATRICIA	CADAMS113@gmail.com
Dave Chard	5809 Lynnway Dr.	
Kevin Adams	5703 N. Sharon Dr.	
Aron Roberts	6200 Vicky Dr.	aroberts9@gmail.com
Margarie Eustler	1704 Pinedale Dr.	
Glenn Garrett	5714 N. Sharon Dr. Raleigh NC	garrettoglenn@gmail.com







## 401 Crossing Neighborhood Meeting Summary

September 25, 2023

30 Neighbors were in attendance

Michael Birch, Woodie Williams, Laura Holloman, and Kate Murdoch were in attendance to represent the project.

The meeting began at 6:00pm.

Michael Birch provided a brief overview of the updates that had been made to the project including TIA updates to better reflect the added road capacity that will result from the improvements asked for by NCDOT. Michael also informed the attendees of the added 60' building setback requirement along the property boundary and that additional evergreen plantings will be provided in the perimeter buffer.

Michael Birch explained that the environmental report evaluated the current environmental conditions of the site and noted that no major concerns were raised in the report. He also noted that the site would be monitored for environmental impacts throughout construction.

There were also a number of questions and concerns raised about sewer and water locations. Michael and Laura clarified that sewer would be connected to a pump station to the east of the site and that the finer details would be determined during the Special Use Permit process.

Parking was another major concern raised by the neighbors. There were several questions raised about how much parking would be provided for the project and whether or not that would be an adequate amount of parking. Michael and Laura stated that the project would need to meet the Town of Garner's parking standards for the development and unit types.

The TIA and traffic impacts of the development were of significant concern as well. A question was raised about why the driveway for the site is not aligned with the intersection at Simpkins Road. Woodie explained that NCDOT asked for the drive to be moved based on the number of crashes and incidents at the existing Simpkins Road intersection. The locations of u-turns were brought up, and Michael confirmed that those locations would be shown later in the process.

A question was asked about the emergency fire access and if there would be any process to remove it and make it public. Laura explained that it is a zoning condition of the site, asked for by the fire department and in order to remove it, the site would need to go back through this rezoning process.

Many questions were asked about the unit sizes, bedroom counts, and price point. Michael explained that the development would likely serve the 80-120% AMI range, but that it was too early to put any exact price point down. He also added that the unit sizes and bedroom counts would be determined during the Special Use Permit process. It was also noted that the owners of the property would continue to own the property for a minimum of 10 years and that it will be managed by a professional management company, who will deal with landscaping, maintenance, and security.

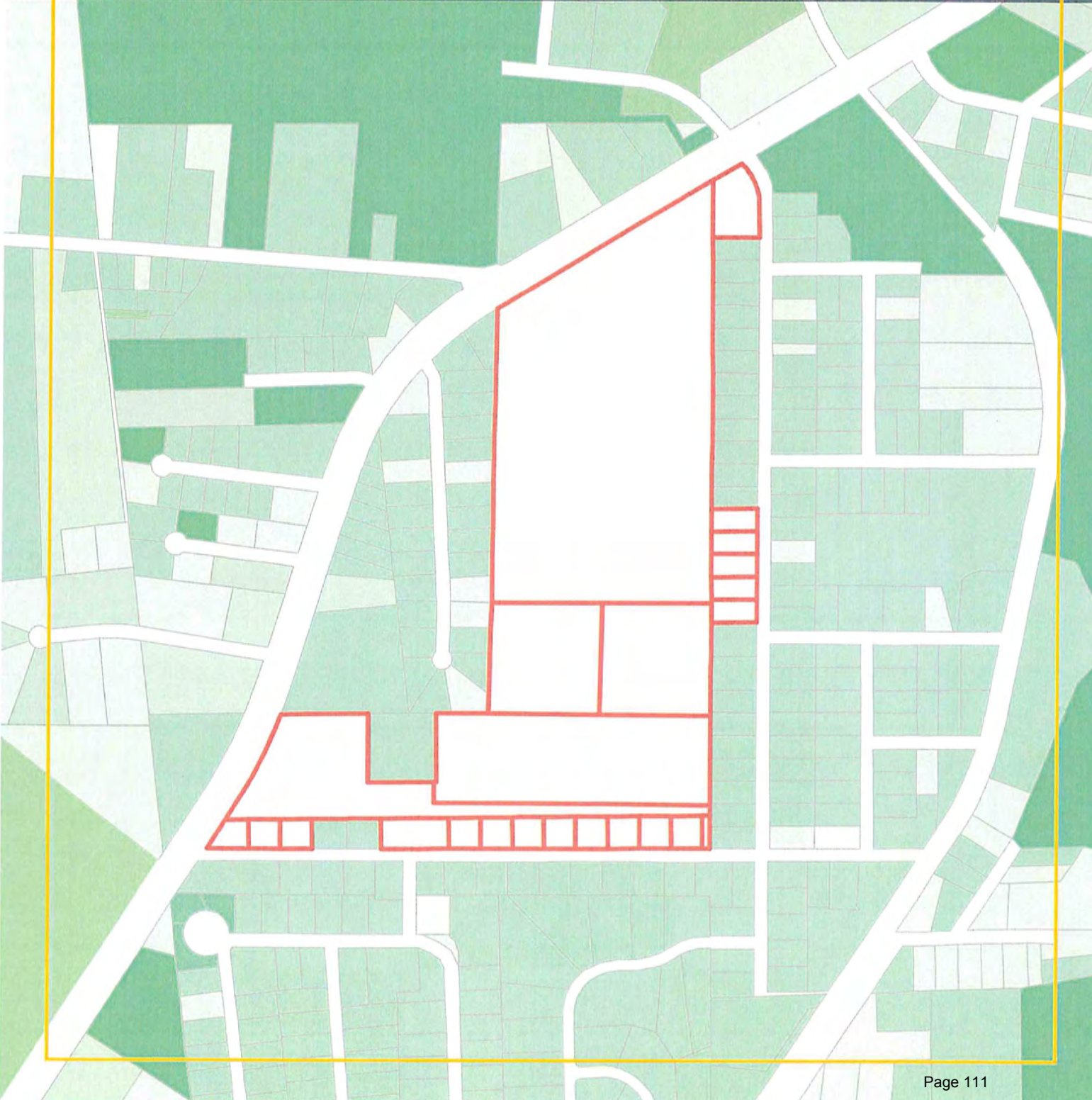
Concerns were also raised about stormwater runoff from the project. Michael and Laura explained that the SCMs are designed to capture and filter runoff to prevent flooding and that the project will likely improve runoff conditions for the surrounding neighborhood.

Concerns were raised about the project being all rental units and the type of person who would be a neighbor to the surrounding neighborhood, Michael reiterated that the property would be professionally managed and landscaped, and maintained. Neighbors were also worried about the number of people who would be living in this development. Concerns were raised about trash locations, Michael confirmed that this would be addressed during the Special Use Permit stage.



# 401 CROSSING PLANNED UNIT DEVELOPMENT

Fayetteville Road & St. Patrick Drive, Garner, North Carolina  
CZ-PD-22-03



# 401 CROSSING

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PLANNED UNIT DEVELOPMENT  
Prepared for the Town of Garner, North Carolina  
CZ-PD-22-03

Submittal Date  
First Submittal: April 29, 2022  
Second Submittal: November 4, 2022  
Third Submittal: December 28, 2022  
Fourth Submittal: February 3, 2023  
Fifth Submittal: March 31, 2023  
Current Submittal: September 19, 2023

Developers:  
SLI Capital  
2020 Progress Ct. Suite 130B  
Raleigh, NC 27608



Land Planning, Landscape Architect + Engineer  
McAdams  
2905 Meridian Parkway  
Durham, NC 27113





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## 1. VISION

### VISION

401 Crossing is a proposed Planned Unit Development located on the eastern side of Fayetteville Road, and north of St. Patrick Drive. This new commercial and residential development will add unique housing opportunities to the area, and will offer a wide breadth of rental options to accommodate varying residential needs. 401 Crossing seeks to fill housing gaps within the Garner area by offering a variety of both traditional and non-traditional rental products. 401 Crossing's housing options will include cottage courts, townhomes, duplexes, carriage units or apartments. This project's commercial component will give both existing and new residents access to goods and services while buffering the residential areas from traffic and road noise along Fayetteville Road. 401 Crossing will preserve existing environmental areas at the perimeter and internal to the site and is proposing to keep the existing pond as a focal point of the development.

### STATEMENT OF JUSTIFICATION

The Garner Forward 2045 Future Land Use Map designates the parcels that make up the frontage of Fayetteville Road as both Low Density Residential, and active recreation. The parcels are identified as a Future Area of Change/Redevelopment to commercial on Garner Forward's 2045 Future Land Use Map.

401 Crossing proposes a mixed-use and mixed-product development. This project offers a wide variety of residential currently absent from the general vicinity of the site. The project proposes commercial uses along Fayetteville Road, which is appropriate considering the location's high visibility, associated traffic noise and the establishment of Fayetteville Road as a commercial corridor.

The 401 Crossing Planned Unit Development offers amenities to promote healthy lifestyles, including walking paths throughout the development, a fitness and yoga center, playground, and pool. Passive open space will be included throughout the development to maintain a peaceful neighborhood feel.

### HOUSING

401 Crossing is a master-planned mixed-use development that provides housing types currently absent from this area of Garner. This community offers at least three housing types: cottage courts, townhomes, duplexes, carriage houses, and garden style apartments all within the same project site. The rental model provides options for residents looking for the experience of living in a house, without the responsibilities or the maintenance associated with home ownership.

## COMMUNITY

401 Crossing is designed with high-quality standards that will enhance community appearance and maintain a unique sense of place. The mixed nature of housing types will allow for diversity in residential options all within one development. The PUD model allows a mixing of the product types that has the opportunity for density, without the negative visual imposition on the landscape that is often a side-effect of density.

## TRANSIT

Fayetteville Rd is slated to have the Southern Corridor Wake BRT (Bus Rapid Transit) station approximately 2 miles north of the 401 Crossing development. This close proximity gives 401 Crossing's residents access to alternative commuting options. A transit easement will be dedicated to the Town of Garner pending further conversations with the Town located approximately at an entrance near Fayetteville Street. The easement will be dedicated at time of site plan and shall meet GoRaleigh and Town of Garner sizing requirements.

## OPEN SPACE + RECREATION

401 Crossing will provide 34.9% of the gross land area as open space to offer recreational opportunities for the residents of the development. Amenities available may include outdoor pools, dog park, play lawns, fitness/yoga center and clubhouse amenities. The existing pond will remain as a natural amenity feature with walking trails connecting to the larger trail network. Trail networks and walking paths will provide unique restorative exercise opportunities for residents.

## ENVIRONMENTAL

Streams, wetlands, and other sensitive environmental features will be protected and preserved within the 401 Crossing development except where road/pedestrian crossings and/or utility impacts are necessary. Additionally, 401 Crossing meets tree cover requirements, and exceeds minimum buffer requirements.

## CIRCULATION

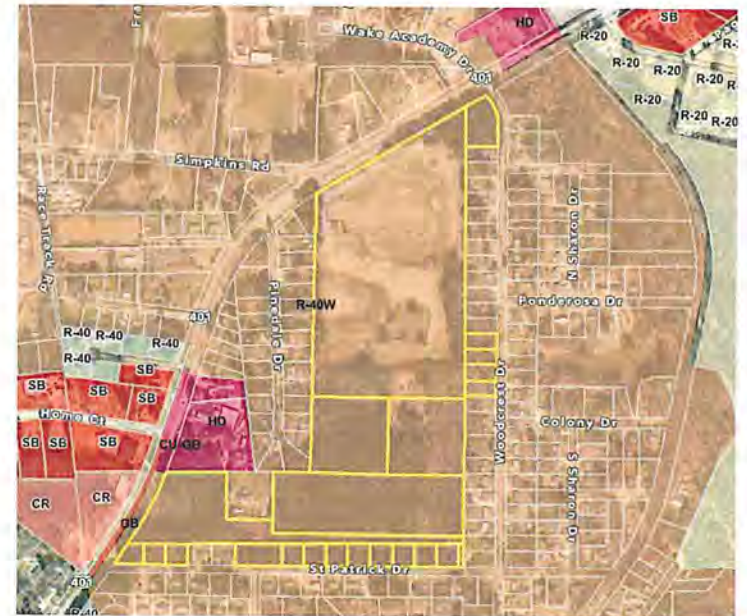
The transportation network within 401 Crossing will include interconnected private streets, sidewalks, and pedestrian trail routes. Connection points will be made at St Patrick Drive and Fayetteville Road for additional walkability to surrounding neighborhoods. The site will be designed to provide the option for a gate. The location of the potential gate will be determined at site plan and be reviewed by the Town for approval. At time of site plan, special permission for gating the community must be received from State Fire Board.

# 2. EXISTING CONDITIONS

## EXISTING CONDITIONS SUMMARY

401 Crossing is comprised of twenty-three parcels of land totaling approximately 72 acres located on the eastern side of Fayetteville Road north of St Patrick Drive. This location is ideally suited for a planned unit development. Frontage on Fayetteville Road is ideal for commercial land uses, while the remainder of the site is well suited for residential. There is an existing pond, streams, and other sensitive environmental features within 401 Crossing; these areas will be protected and preserved during development. Environmental impacts will be limited as much as possible to allow for necessary road/pedestrian crossings and or utility impacts.






## CURRENT ZONING MAP

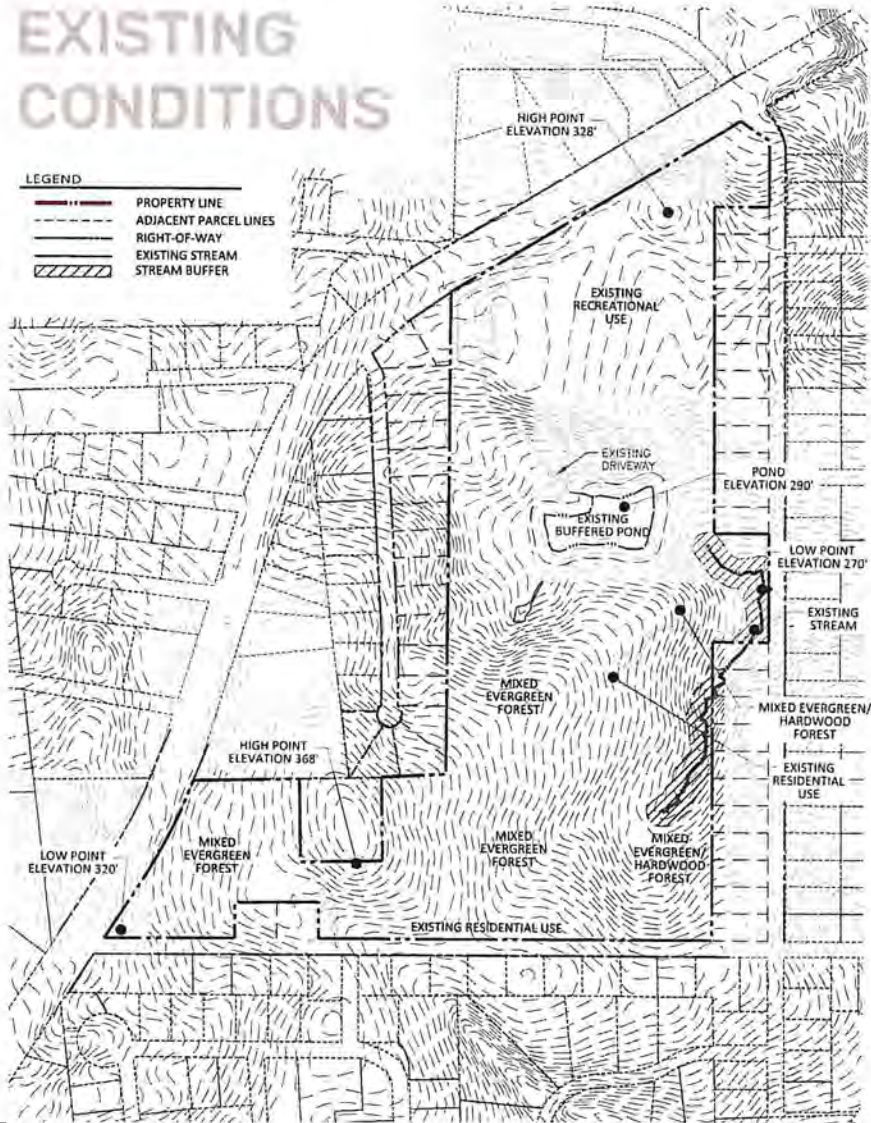


The property assemblage subject to this rezoning request is not currently located in Garner's jurisdiction and is zoned R-40W in Wake County.



# EXISTING CONDITIONS

LEGEND	
	PROPERTY LINE
	ADJACENT PARCEL LINES
	RIGHT-OF-WAY
	EXISTING STREAM
	STREAM BUFFER



## 3. MASTER DEVELOPMENT PLAN

### INTENT

401 Crossing will be a high-quality mixed-use community that offers a unique solution to housing needs present in Garner and the surrounding region. The neighborhood scale community provides the opportunity for the single-family lifestyle, while retaining the flexibility of leasing. 401 Crossing's commercial component will service both the new and existing residents of Garner. The project's unit placement remains sensitive to environmental features, including the existing buffers, ponds and streams.

Housing diversity is currently limited on this segment of Fayetteville Road. 401 Crossing is designed to diversify resident housing options in the surrounding community and will serve as a critical component of the Town's housing opportunities. 401 Crossing's rental model lifts the burden of upfront costs from residents and allows for predictable monthly expenses limited to rent payments and utilities. Maintenance and landscaping will be provided by the property manager alleviating residents from the associated maintenance and HOA costs that traditional homeowners incur.

Approximately 34.9% of the gross land area that makes up the development will be set aside as open space, meeting the minimum required percent. Amenities within the site will include constructed features such as a pool, playground, gym and clubhouse, and natural features including the pond already present on the site. The amenities and open spaces will be maintained by the property manager ensuring community character is retained throughout the life of the neighborhood.

Infrastructure improvements will include the extension of public water and sewer utilities into the development. A comprehensive stormwater management system will be integrated into the development to ensure that all water leaving the site has been treated prior to infiltrating into the groundwater or surrounding surface waters.

### HOUSING

401 Crossing's residential component will include a minimum of three different housing types such as: cottage courts, townhomes, carriage units, duplexes or apartments.

### COTTAGE COURTS

Cottage units consist of a minimum of 1,000 square feet of living space. Each cottage is a single story with private patio space, making these units an excellent option for seniors and individuals of all mobility levels.



**TOWNHOUSES**

Townhouse units in 401 Crossing will include 4 and 6 row townhome buildings that have private entries and a garage. Units vary in size with end units featuring 4 bedrooms, and interior units featuring 3 bedrooms. All townhomes are 2 stories and include a private patio space.

**APARTMENTS**

Apartments in this PUD will be a maximum of 5 stories in height and will be located directly behind the commercial component of the project. This location will provide an appropriate transition between the commercial along Fayetteville Road and the single-family product types located further within 401 Crossing. The developer has added a zoning condition to limit the maximum building height to 4-stories adjacent to the project perimeter.

**COMMERCIAL DEVELOPMENT**

The commercial component of 401 Crossing will front the eastern side of Fayetteville Road an established commercial corridor. Due to the road's high speeds and the parcel's visibility this land is much better suited for commercial use than residential. The commercial use will be sensitive to the surrounding development and will serve both new and existing residents in the area.

**PHASING PLAN**

A phasing plan will be developed for the project, but it is too early to establish the specifics of the plan at this stage. Amenities that will serve a particular phase of the development shall be built concurrently with that phase.

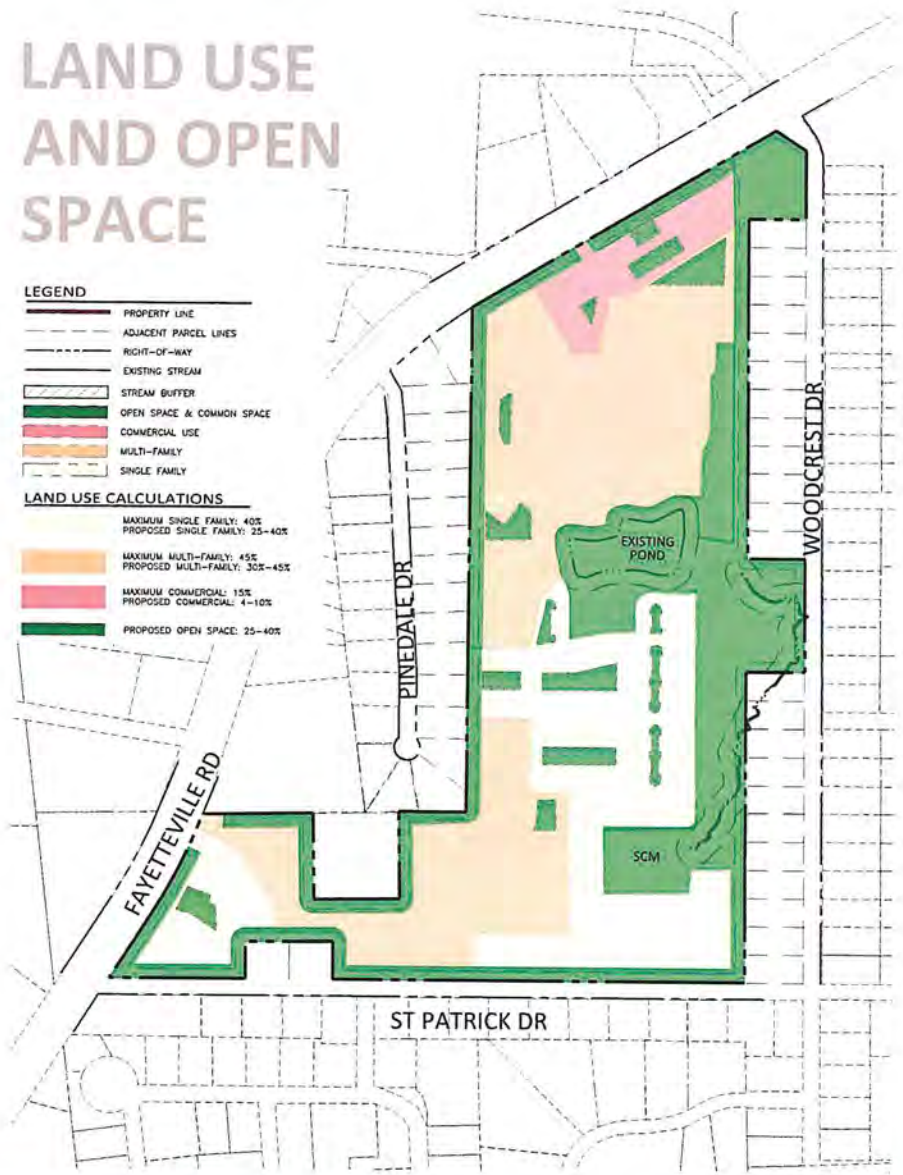
# LAND USE AND OPEN SPACE

**LEGEND**

- PROPERTY LINE
- - - ADJACENT PARCEL LINES
- - - RIGHT-OF-WAY
- - - EXISTING STREAM
- ▨ STREAM BUFFER
- OPEN SPACE & COMMON SPACE
- COMMERCIAL USE
- MULTI-FAMILY
- SINGLE FAMILY

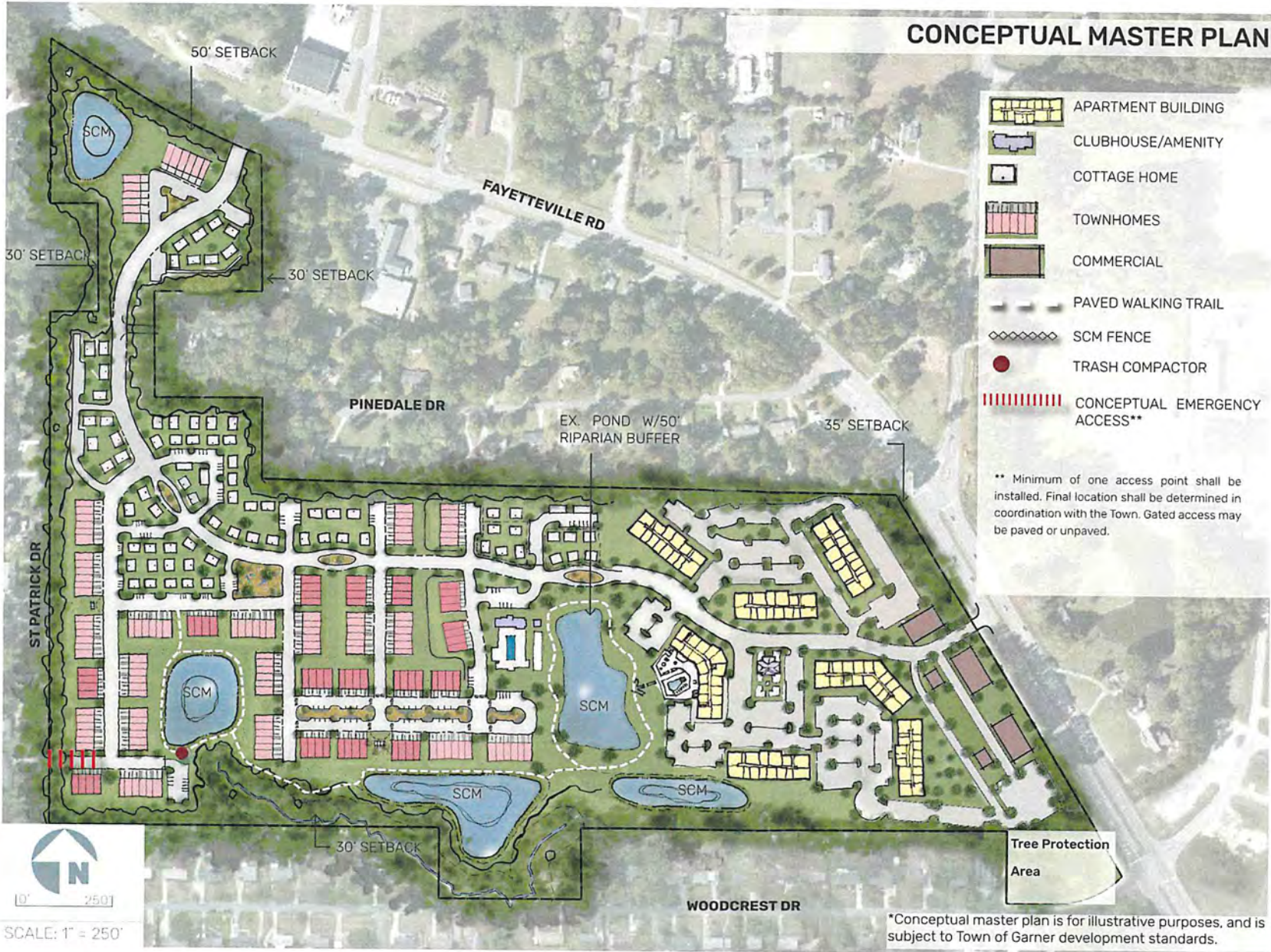
**LAND USE CALCULATIONS**

- MAXIMUM SINGLE FAMILY: 40%  
PROPOSED SINGLE FAMILY: 25-40%
- MAXIMUM MULTI-FAMILY: 45%  
PROPOSED MULTI-FAMILY: 30%-45%
- MAXIMUM COMMERCIAL: 15%  
PROPOSED COMMERCIAL: 4-10%
- PROPOSED OPEN SPACE: 25-40%





# CONCEPTUAL MASTER PLAN



- APARTMENT BUILDING
- CLUBHOUSE/AMENITY
- COTTAGE HOME
- TOWNHOMES
- COMMERCIAL
- PAVED WALKING TRAIL
- SCM FENCE
- TRASH COMPACTOR
- CONCEPTUAL EMERGENCY ACCESS\*\*

\*\* Minimum of one access point shall be installed. Final location shall be determined in coordination with the Town. Gated access may be paved or unpaved.



SCALE: 1" = 250'

Tree Protection Area

\*Conceptual master plan is for illustrative purposes, and is subject to Town of Garner development standards.

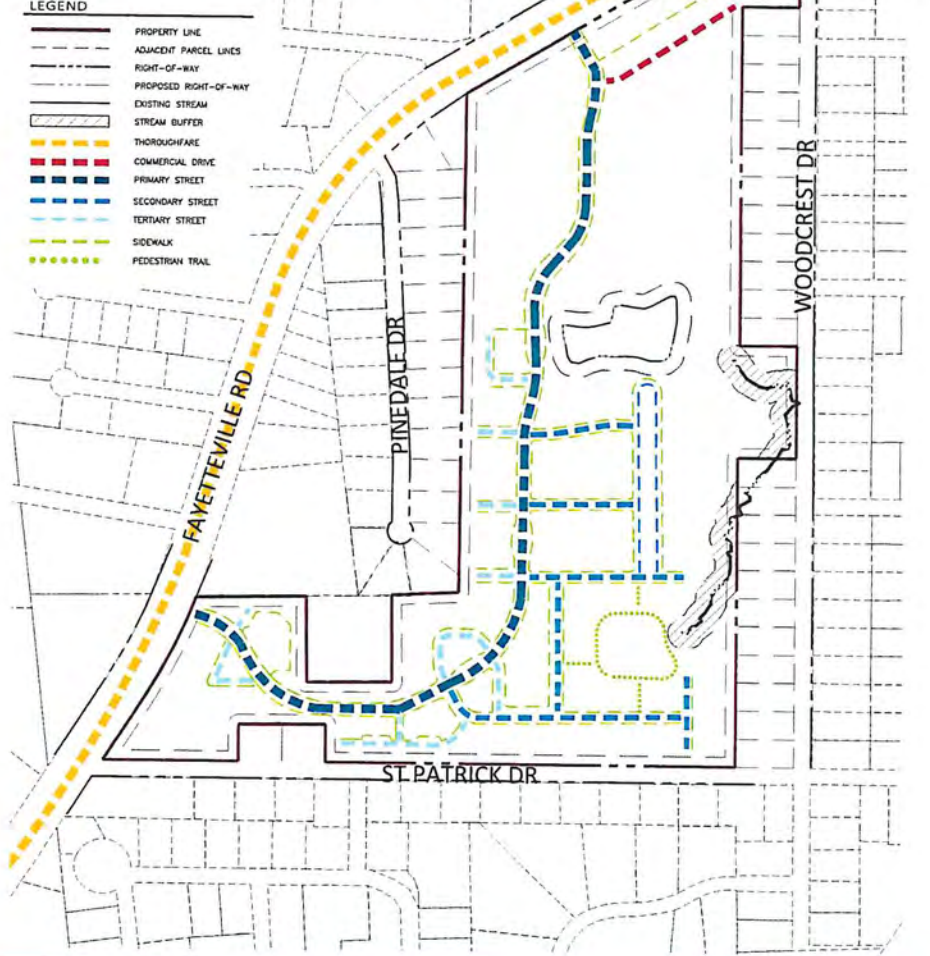


# NEIGHBORHOOD COMMERCIAL BUBBLE DIAGRAM



- LEGEND**
- COMMERCIAL BUILDING ENVELOPE
  - PEDESTRIAN PLAZA ENVELOPE
  - SURFACE PARKING ENVELOPE
  - VEHICULAR ACCESS
  - PEDESTRIAN CIRCULATION

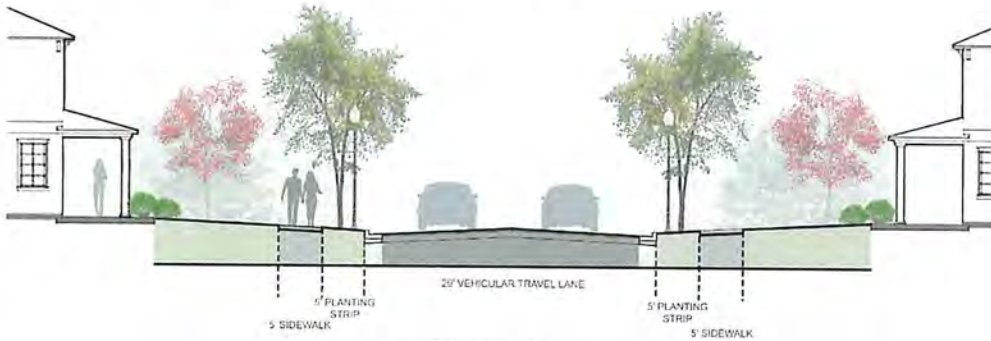
# VEHICULAR AND PEDESTRIAN CIRCULATION



- LEGEND**
- PROPERTY LINE
  - ADJACENT PARCEL LINES
  - RIGHT-OF-WAY
  - PROPOSED RIGHT-OF-WAY
  - EXISTING STREAM
  - STREAM BUFFER
  - THOROUGHFARE
  - COMMERCIAL DRIVE
  - PRIMARY STREET
  - SECONDARY STREET
  - TERTIARY STREET
  - SIDEWALK
  - PEDESTRIAN TRAIL

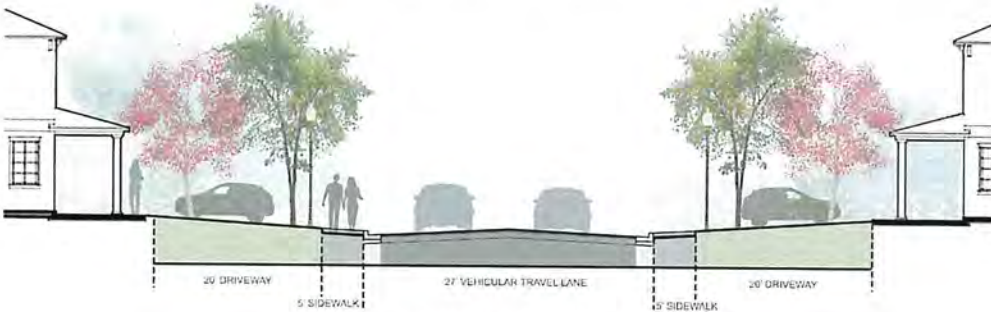


## TYPICAL STREET CROSS SECTIONS



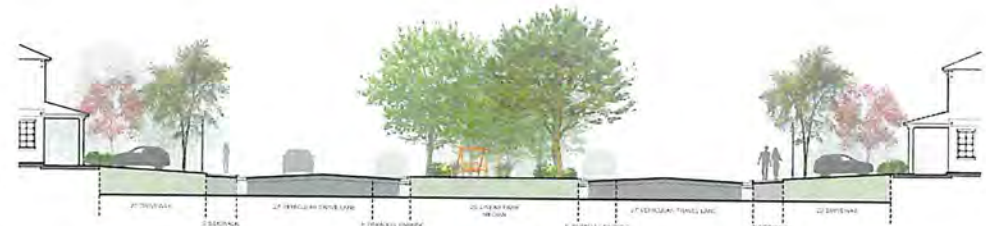
### Primary Street

- Street Easement Width: 49'
- Back of curb to back of curb: 29'
- Planting area: 5'
- Sidewalk: 5'
- Large Street Trees: 40' O.C.



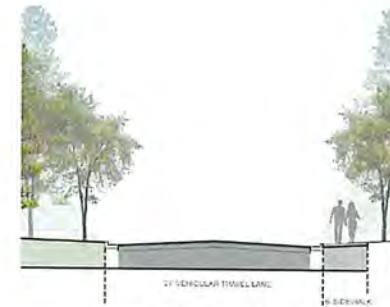
### Secondary Street

- Street Easement Width: 37'
- Back of curb to back of curb: 27' (Rolled curb allowed)
- Sidewalk: 5'
- Large or Medium Street Trees: 30'-50' O.C. (5-15' behind easement)



### Secondary Street Alternate

- Street Easement Width: 37' + Linear Park Width (Variable Width)
- Back of curb to back of curb: 27' + 8' Parallel Parking Bump Out  
(Rolled curb allowed; Variable Width)
- Sidewalk: 5'
- Large or Medium Street Trees: 30'-50' O.C. (5-15' behind easement)



### Tertiary Street

- Street Easement Width: 32'
- Back of curb to back of curb: 27'
- Sidewalk: 5' (May be on one or both sides)

## DEVELOPMENT DETAILS

401 Crossing, totaling approximately 73 acres provides approximately 69 acres of housing development and approximately 5 acres commercial/retail with frontage along Fayetteville Road.

### 401 CROSSING > Land Use & Percentages

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

### 401 CROSSING > Type of Single-Family Residential

Product Type
Townhouse
Cottage Court
Duplex
Carriage Houses

### 401 CROSSING > Type of Multi-Family Residential

Product Type
Apartments
Carriage Houses

### 401 CROSSING > Amount of Commercial

Commercial, Office & Retail
Maximum allowed: 15%   Proposed: 4-10%

### 401 CROSSING > Open Space Required & Provided

Open Space
Required: 25% or more   Provided: 25.89 acres (34.9%)

### 401 CROSSING > Tree Cover

Tree Cover - Residential	
Minimum Required for Preservation: 0%	Replacement Tree Cover Area Required: 20%
Maximum Required for Preservation: 18%	Replacement Tree Cover Area Required: 0%

See Town of Garner UDO Section 7.1.I for additional preservation or replacement percentages. In order to facilitate a compact and walkable community, a minimum of 5% of the residential project area shall be preserved as existing tree save. Tree replacement shall occur at the ratios set forth in UDO Section 7.1.H and may include any code required trees installed at 1.0" DBH or larger as shown at time of site plan.

Tree Cover - Commercial	
Minimum Required for Preservation: 0%	Replacement Tree Cover Area Required: 14%
Maximum Required for Preservation: 12%	Replacement Tree Cover Area Required: 0%

See Town of Garner UDO Section 7.1.I for additional preservation or replacement percentages. The majority of the existing land area scheduled for commercial uses has little to no tree cover. The northeast portion of the site at the intersection of Fayetteville Rd and Woodcrest Dr shall be preserved as tree cover per the Land Use and Open Space diagram, and may count towards the commercial tree cover preservation requirements. Additional tree replacement cover area shall be provided within the commercial area.

### 401 CROSSING > Perimeter Setback

Perimeter Setback	
Required: 25 feet	Proposed: 30 feet
Perimeter Setback along Streets Bordering the PUD Tract	
Required: 35 feet	Proposed: 35 feet

## PARKING & LOADING

All parking for this PUD will comply with Section 7.4 Off-Street Parking and Loading, of the Town of Garner UDO.

On-street parallel parking stalls may be used to satisfy guest parking requirements. Accessory garages with additional storage may be used to satisfy parking requirements.

## SIGNAGE

All signage for this PUD shall comply with Section 7.5 Sign Regulations, of the Town of Garner UDO.

## LIGHTING

All lighting for this PUD shall comply with Section 7.6 Outdoor Lighting Standards of the Town of Garner UDO.



## ARCHITECTURAL GUIDELINES

<b>RESIDENTIAL DESIGN GUIDELINES</b> Townhomes, Cottage Courts, Duplexes
Vinyl Siding is not permitted; however, vinyl windows decorative elements and trim are permitted.
All garage doors shall be affixed with carriage door adornments and windows.
The following shall apply to townhome buildings: Roof line cannot be a single mass; it must be broken up either horizontally and/or vertically between, at minimum, every other unit.
Rear and side elevations of residential units that have right-of-way frontage shall have trim around the windows.
Three of the following decorative elements shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
A varied color palette shall be utilized on all residential units throughout the subdivision and shall include siding, trim, shutter, and accent colors complementing the siding colors.
Recesses and projections shall be provided for at least 50% of each façade on each apartment building.
Townhomes shall have a 12" band board condition at foundation per developer standards.
Cottages shall have an 8" band board condition at foundation per developer standards.
<b>PROPOSED RESIDENTIAL MATERIALS</b>
Proposed materials will be of a similar palette to provide consistency of character along with visual interest. Exterior materials that may be incorporated into any of the residential building products include:
Cementitious lap siding
Board and batten siding
Shake and shingle siding
Wood siding
Stone or synthetic stone
Brick
Stucco
Vinyl (windows, trim and decorative elements only)
Additional building materials may be included with administrative staff approval. Substitute materials shall be allowed by staff as long as they are determined by the Planning Director to be substantially similar.

## ARCHITECTURAL GUIDELINES

<b>MULTI-FAMILY DESIGN GUIDELINES</b> Apartments
Multi-family apartments shall not use vinyl siding and shall have cementitious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features- the masonry component shall be a minimum of fifty percent (50%) per building.
Other accessory buildings may only have a masonry wainscot.
Multi-family apartments shall have offsets in the plane of each facade for each apartment building.
Multi-family apartments shall have either masonry embellishment or 1x4 casing on all windows.
Adjacent to the project perimeter, the maximum building height shall be limited to 4 stories.
<b>PROPOSED MULTI-FAMILY MATERIALS</b>
Non-residential exteriors shall incorporate variation in materials. The primary (front) façade and other façades located along a public right-of-way may include:
Cementitious siding
Board and batten siding
Brick
Stone
Shake siding
<b>PROHIBITED MATERIALS</b>
Exterior materials not allowable as part of the residential or non-residential development are as follows:
Vinyl siding



# ARCHITECTURAL GUIDELINES

NON-RESIDENTIAL DESIGN GUIDELINES
Architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping may be incorporated to add visual interest. Large expanses of blank walls, greater than 25' in length or height, shall be broken up with architectural features such as windows, awnings etc. to reduce visual impacts.
Roof features may include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
PROPOSED NON-RESIDENTIAL MATERIALS
<b>Non-residential exteriors shall incorporate variation in materials. The primary (front) façade and other façades located along a public right-of-way may include:</b>
Brick and/or stone masonry
Decorative concrete block (integral color or textured)
Stone accents
Aluminum storefronts with anodized or pre-finished colors
EIFS cornices, and parapet trim
Precast concrete
Soffit and fascia materials to be considered include EIFS with crown trim elements
Cementitious siding
Rear elevations of non-residential buildings facing opaque landscape buffers or not visible from vehicular use areas or public rights-of-way may incorporate decorative concrete masonry, metal coping, or EIFS trim.
PROHIBITED MATERIALS
<b>Exterior materials not allowable as part of the residential or non-residential development are as follows:</b>
Vinyl siding
Painted, smooth faced concrete block

## COTTAGE COURT ARCHITECTURAL DETAILS RENDERINGS

\*Elevations are conceptual and subject to change.



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

## ELEVATIONS



Coastal



Craftsman

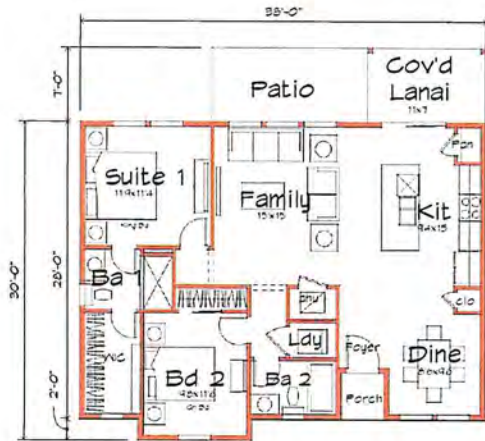


Traditional

## COTTAGE COURT FLOOR PLANS

### FLOOR PLANS

\*Elevations are conceptual and subject to change.



Floor Plan  
1053 sf

## FOUR UNIT TOWNHOUSE ARCHITECTURAL DETAILS

### RENDERINGS

\*Elevations are conceptual and subject to change.



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

### ELEVATIONS





## FOUR UNIT TOWNHOUSE FLOOR PLANS

### FLOOR PLANS

\*Elevations are conceptual and subject to change.



1st Floor:  
620 sf



2nd Floor:  
740 sf



1st Floor:  
624 sf



2nd Floor:  
412 sf

## SIX UNIT TOWNHOUSE ARCHITECTURAL DETAILS

### RENDERINGS

\*Elevations are conceptual and subject to change.



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

### ELEVATIONS

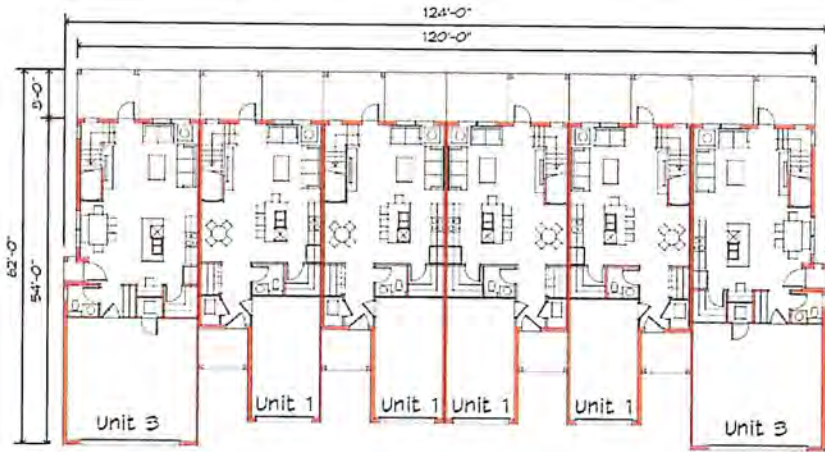




## SIX UNIT TOWNHOUSE FLOOR PLANS

### FLOOR PLANS

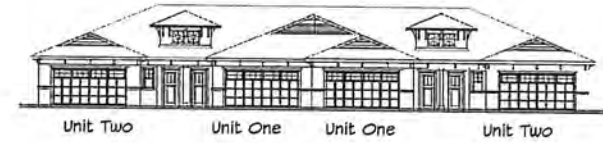
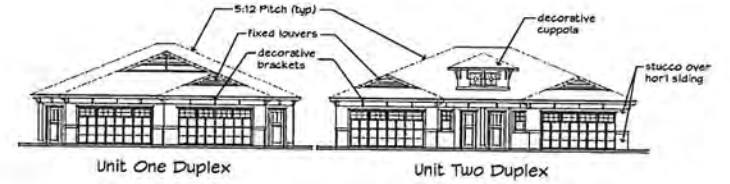
\*Elevations are conceptual and subject to change.



## DUPLEX ARCHITECTURAL DETAILS

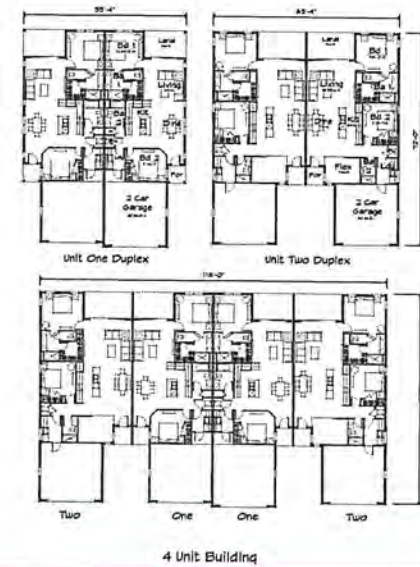
### ELEVATIONS

\*Elevations are conceptual and subject to change.



One Story Villas:  
Coastal Style

### FLOOR PLANS



MULTI-FAMILY ARCHITECTURAL PRECEDENT



Page 126  
AVIS > Precedent Imagery

## 4. OPEN SPACE + AMENITIES

### INTENT

Open Space			
Required: 25%	Overall Provided: 34.9%	Activated Open Space: 13.1%	Primary Conservation Area: 21.8%

401 Crossing has been designed to provide residents with high quality amenities that promote good health and social activity. 401 Crossing's pool and associated lounge area will create a common space where residents can recreate together. Fitness opportunities will be available through the fitness and yoga center, and the clubhouse will be available to rent so families and friends can commune together to celebrate events. Open space will be interspersed throughout the project site, and linked together through a pedestrian trail network. These areas will be incorporated into the fabric of the development so that residents may enjoy the environmental areas' undisturbed natural beauty, while these features remain preserved and protected.

Activated Open Spaces shall include: Linear Parks, Trails and Walking Paths, Seating Areas, Playgrounds, Amenity Centers, Preserved Woodland with trail and seating, and Open Play Lawns.

Primary Conservation Areas shall include: Stream buffers, perimeter buffers, and wetlands on site.

Open spaces shown in this document are conceptual and are described in general terms with commitments to features that will be included. Specifically open spaces will be required to consist of at least one (1) of the following elements: walking trails; cornhole boards; butterfly garden; seat wall; bench; dog park; community garden; cut flower garden; playground; enhanced landscaping. The final design of these open spaces may vary from the conceptual plans and will be approved as part of a site plan separate from this rezoning.



# ACTIVATED OPEN SPACES



**A: PLANTED LINEAR PARK**



**D: VILLAGE GREEN**



- AREA/PROGRAM**
- A** PLANTED LINEAR PARK
  - B** LAKE LOOP
  - C** NEIGHBORHOOD AMENITY CENTER
  - D** VILLAGE GREEN
  - E** PARKLET
  - F** PLAYGROUND
  - G** ACTIVITY LAWN
  - H** HARDWOOD HAVEN
  - I** VILLAGE TOT LOTS
  - J** PRESERVED WOODLAND



**B: LAKE LOOP**



**C: NEIGHBORHOOD AMENITY CENTER**



**E: PARKLET**



**F: PLAYGROUND**



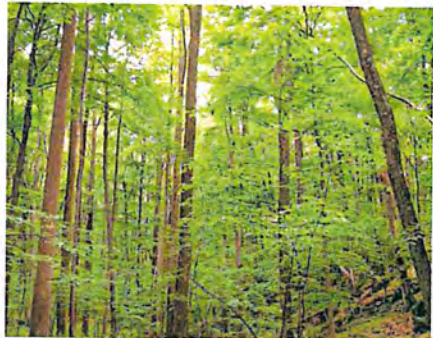
**G: ACTIVITY LAWN**



**H: HARDWOOD HAVEN**



**I: VILLAGE TOT LOTS**



**J: PRESERVED WOODLAND**

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## ACTIVATED OPEN SPACE DETAILS

- a. The Linear Park will provide approximately 500 linear feet of planted park offering shade and space for active recreation, like walking, biking, or jogging.
- b. The Lake Loop offers 401 Crossing users with opportunities of an enchanted gathering space nestled in nature and worthy of social media posts.
- c. The Neighborhood Amenity Center will provide a pool for residents to cool off and socialize at in the hot summer months, as well an amenity center for community gathering opportunities protected from the elements.
- d. The Village Green provide multiple places for reprieve from the bustling activity to enjoy lunch and people watch, allow kids to get their energy out after a bite, all while taking advantage of being outside!
- e. The Parklet at 401 Crossing will provide the modern-day fire pit and seating, allowing neighbors to interact during the evening and weekend hours, all from the comforts, all within a stroll of their front doors.
- f. The Playground provides children a place to play freely.
- g. The Activity Lawns will provide multiple, wide open green fields, each approximately 18,000 SF in size, providing residents of all ages, that unrestricted greenspace of our past, ideal for playing tag or a pick-up ball game.
- h. The Hardwood Haven will connect the abundance of amenities throughout the development, weaving residents together and allowing all to have a neighborhood loop to enjoy.
- i. The Pocket Parks (including the Village Tot Lots) will be modern-day tuffets, allowing adults and children to experience the whimsy hangs of yesteryear.
- j. The Preserved Woodland will serve as an enchanting natural area, helping to preserve native tree species and provide a habitat for the wildlife that lives there. A trail and benches will provide opportunities for users to commune with nature.

## ACTIVATED OPEN SPACES

The Open Space has been carefully curated to offer experiences for users. Landscaping will be used to create thoughtful tree cover and shade opportunities, all whilst connected through a woven pedestrian network. Carefully selected vegetation and hardscaping will be utilized to maximize the feel and experience that open space offers.

Area	Program	Minimum SF (+/-)	Quantity	Total SF (+/-)
A	Linear Park	17,000	1	17,000
B	Lake Loop	100,000	1	100,000
C	Neighborhood Amenity Center	16,500	1	16,500
D	Village Green	18,000	1	18,000
E	Parklet	7,500	1	7,500
F	Playground	8,000	2	16,000
G	Activity Lawns	18,000	5	90,000
H	Hardwood Haven	90,000	1	90,000
I	Pocket Parks	2,000	3	6,000
J	Preserved Woodland	60,984	1	60,984

Total Minimum Activated Open Space Provided in square feet: 421,984

Total Minimum Activated Open Space Provided in acres: 9.69

# IMPROVED OPEN SPACE PRECEDENT IMAGERY

Neighborhood Amenity

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# 5. TREE PRESERVATION + LANDSCAPING

## LANDSCAPE GUIDELINES

Landscaping in 401 Crossing has two goals. The first goal is to protect and preserve existing vegetation and natural features. This preservation of existing vegetation promotes a healthy ecosystem and allows residents to enjoy the beauty of the natural landscape. The second goal is to supplement the landscape with added plantings that complement natural landscape and merge the built environment.

## TREE COVER

### 401 CROSSING > Tree Cover

\*Due to the nature of the previous use of the site, existing tree coverage is limited. As such additional tree plantings and conservation areas are proposed to increase the tree coverage on the site.

Tree Cover - Residential	
Minimum Required for Preservation: 18%	Replacement Tree Cover Area Required: 20%

See Town of Garner UDO Section 7.1.1.2 for additional preservation or replacement percentages. In order to facilitate a compact and walkable community, a minimum of 5% of the residential project area shall be preserved as existing tree save. Tree replacement shall occur at the ratios set forth in UDO Section 7.2.1.2C and may include any code required trees installed at 1.0" DBH or larger as shown at time of site plan. Street trees will be counted towards tree coverage requirements.

Tree Cover - Commercial	
Minimum Required for Preservation: 12%	Replacement Tree Cover Area Required: 14%

See Town of Garner UDO Section 7.1.1.2 for additional preservation or replacement percentages. The majority of the existing land area scheduled for commercial uses has little to no tree cover. The northeast portion of the site at the intersection of Fayetteville Rd and Woodcrest Dr shall be preserved as tree cover per the Land Use and Open Space diagram, and may count towards the commercial tree cover preservation requirements. Additional tree replacement cover area shall be provided within the commercial area. Street trees will be counted towards tree coverage requirements.

## STREET TREES

Street trees in 401 Crossing are designed and planted with the pedestrian realm in mind. Street trees will be planted at regular intervals along the primary access street, creating shading and interest at the pedestrian level. The development will be home to a variety of tree species to encourage diversity and limit potential for disease. Street trees shall be allowed towards meeting tree coverage requirements. For secondary streets, street trees shall be large shade trees or medium sized flowering trees placed in between the unit and the street to provide adequate room to grow. These trees shall be spaced approximately 30'-50' O.C. to provide flexibility with driveway locations. Street trees will be planted within a street tree easement as required by the UDO.

## PERIMETER SETBACK

401 Crossing will include a minimum 30 foot perimeter buffer, 5 feet greater than required by Garner's UDO. This perimeter will remain undisturbed during the development of 401 Crossing with the exception of areas that will be required to be graded and improved to allow for the construction of ingress and egress points or for utility crossings as shown on the Master Plan. 401 Crossing has committed to native tree plantings within the perimeter buffer.

## FOUNDATION PLANTINGS

Foundation plantings along the front and side of all dwelling units will be incorporated into the 401 Crossing landscaping package. Foundation plantings are in addition to the required street trees. Further, these foundation plantings meet the Xeriscaping requirements of Garner's UDO, without exercising the applicable buffer reduction.



# COTTAGE COURT SOUTHERN XERISCAPING

## Cottage Court Foundation Plantings

Front, side and rear yard plantings around each cottage building will be incorporated into the 401 Crossing landscape package. Below are the minimum requirements for installation with every cottage building.

Plant Material	Quantity	Size (Minimum)
Large or Understory Tree	2	1" Caliper; 6' Height
Shrubs	12	3 Gallon; 12" Height
Ground Cover	15	1 Gallon (or 4" if unavailable)
Mulch	As Needed	As Needed

## Townhome Foundation Plantings

Front, side and rear yard plantings around each townhouse will be incorporated into the 401 Crossing landscape package. Below are the minimum requirements for installation with townhouse unit.

Plant Material	Quantity	Size (Minimum)
Large or Understory Tree	2	1" Caliper; 6' Height
Shrubs	10	3 Gallon; 12" Height
Ground Cover	10	1 Gallon (or 4" if unavailable)
Mulch	As Needed	As Needed



## 401 CROSSING COTTAGE COURT CONCEPTUAL LANDSCAPE PLAN GARNER, NORTH CAROLINA



# COTTAGE COURT PRECEDENT IMAGERY



## Tree examples



Acer buergerianum



Betula nigra



Cercis canadensis

## Shrub examples



Rosmarinus officinalis



Yucca filamentosa



Loropetalum spp.



Ilex cornuta

## Shrub examples



Abelia grandiflora



Ceanothus americanus



Forsythia intermedia



Ilex vomitoria 'Nana'

## Ground cover examples



Ornamental grasses



Liriope spp.



Hypericum spp.



Aspidistra elatior

**401 CROSSING** COTTAGE COURT CONCEPTUAL LANDSCAPE PLAN  
GARNER, NORTH CAROLINA

A  
02.03.2025



## 6. INFRASTRUCTURE

### VEHICULAR CIRCULATION

A vehicular and pedestrian network will be provided in 401 Crossing to allow for the free and safe movement of vehicles and pedestrians into and throughout the development. Entrances into residential areas of 401 Crossing may have vehicular gated entries for emergency-only access. The streets within the development will be private. The location of the potential gated entries will be determined at site plan and be reviewed by the Town for approval. Emergency only fire access will be provided at a gated location along St. Patrick Drive. Vehicular access has been limited to one ingress/egress point along Fayetteville Road, consistent with NCDOT plans for the area.

### PEDESTRIAN CIRCULATION

Pedestrian circulation is provided throughout the site with sidewalks lining the primary access street. Crosswalks are provided at intersections offering safety to residents and guests of the 401 Crossing community. Walking trails are also provided to take advantage of the passive open space and natural environment.

### WATER SUPPLY AND WASTEWATER DISPOSAL

#### WATER AND SANITARY SEWER OVERVIEW

The proposed 401 Crossing site is bounded by Fayetteville Road, to the north and St. Patrick Drive, to the south. The City of Raleigh will provide water and sanitary sewer service for the development. Both water supply and sanitary sewer extensions will be in accordance with the current version of the City of Raleigh Public Utilities Handbook.

#### WATER SUPPLY

The proposed water system will comply with section 8.4.7 and the City of Raleigh Public Utilities Handbook. A connection will be made to an existing water main in Fayetteville Road and a water main will be extended along the property frontage on St. Patrick Drive. For the frontage along Woodcrest Drive, a Fee-in-lieu will be paid for a future water extension. Fire Hydrants will also be provided in accordance with Section 8.4.9.

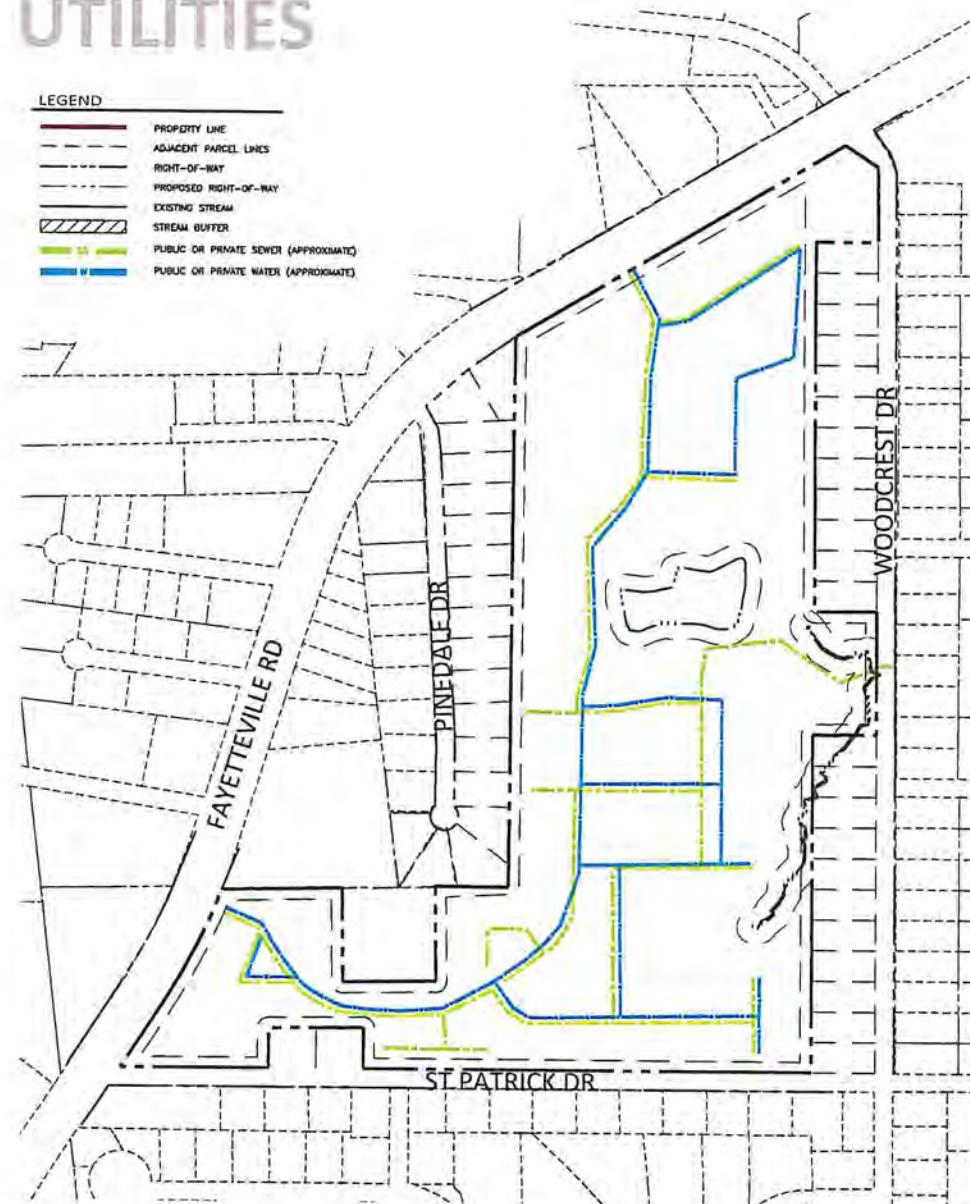
#### SANITARY SEWER SYSTEM

The proposed sanitary sewer system will comply with section 8.4.5 and the City of Raleigh Public Utilities Handbook. The sanitary sewer system shall be designed to collect all wastewater from the site and directed off-site to a proposed sanitary sewer outfall that will extend from the eastern boundary of the site to a 24-inch outfall currently under construction at Rollman Farms. The total length of the off-site outfall will be approximately 4,200 linear feet.

## UTILITIES

#### LEGEND

	PROPERTY LINE
	ADJACENT PARCEL LINES
	RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	EXISTING STREAM
	STREAM BUFFER
	PUBLIC OR PRIVATE SEWER (APPROXIMATE)
	PUBLIC OR PRIVATE WATER (APPROXIMATE)





# 7 STORMWATER MANAGEMENT

## STORMWATER/SITE DRAINAGE OVERVIEW

The proposed 401 Crossing development is located within the Neuse River basin with the site's stormwater runoff draining into Swift Creek. The proposed development shall be subject to stormwater management requirements set forth in Section 7.2 of the Town of Garner Unified Development Ordinance (UDO). Per regulations set forth in Section 7.2 of the Town of Garner's UDO, stormwater runoff provisions shall address peak flow mitigation and water quality management.

Black vinyl coated chain link fencing with evergreen screening will be installed around the perimeter of all stormwater control facilities as required by the Town of Garner UDO.

## STORMWATER RUNOFF CONTROLS [SECTION 7.2 C]

Per Section 7.2C of the Town of Garner's UDO, stormwater detention will be required based on peak flow rate reduction to the pre-development (existing) condition for the 1-year, 10-year, and 25-year storms.

## WATERSHED CONSERVATION BUFFER AREAS [SECTION 7.2 E]

Per Section 7.2 E based on the lack of FEMA floodplain found on the proposed site we will find 100-year elevation along all streams onsite in order to identify the watershed conservation buffer. All development shall be limited by the watershed conservation buffer.

## NITROGEN REDUCTION CONTROLS [SECTION 7.2 E]

Per Section 7.2E of the Town of Garner's UDO and required by the Neuse Stormwater Rule 15A NCAC 2B.0235, the nutrient load contributed by new development activities is limited to 3.6 pounds per acre per year (lbs/ac/yr) of nitrogen loading. Development shall have the option of partially offsetting projected nitrogen loads by funding wetland or riparian area restoration. However, the total nitrogen loading rate cannot exceed 6.0 lbs/ac/yr for residential development before buydown is allowed.

## PROPOSED STORMWATER CONTROL MEASURES

Three wet ponds are proposed as part of the 401 Crossing development to meet stormwater runoff and nitrogen reduction control requirements listed in Sections 7.2C and 7.2E of the Town of Garner's UDO. The SCM will be designed per regulations established in the NCDEQ Stormwater Design Manual and assigned a nitrogen removal rate of 30%, as listed in the North Carolina Stormwater Control Measure Credit Document.

## SWIFT CREEK WATERSHED PROTECTION AREA

Within the Garner Swift Creek Watershed, new single family detached residential subdivision projects shall be limited to a maximum of 30% total impervious surface area. Projects may increase to a maximum of 70% impervious under the high density option, where the stormwater runoff from a one inch rainfall event is retained by retention ponds, or other approved devices designed to achieve 85 percent total suspended solids as approved by the North Carolina Division of Environmental Management and the Town of Garner, constructed in accordance with best management practices.

# 8. ZONING CONDITIONS

## ZONING CONDITIONS

### 1. Permitted Use Table

Use Category	Specific Use	Permitted
Household Living*	Apartments, Carriage Houses, Cottage Courts, Duplexes, Townhomes	P
Public, Civic, and Institutional	Library, Museum, Art Gallery, Art Center	P
	Adult Day Care	P
	Day Care Center	P
	Music/Dance/Art Instruction	P
Health Care	Medical Clinic	P
	Nursing Care Institution	P
	Medical Office, Individual	P
Entertainment	Theater	P
	Gym, Spa, Indoor Tennis Court, or Pool, Private	P
	Water Slide, Golf Driving Range, Miniature Golf, Batting Cage or Similar	P
	Indoor Entertainment Facility	P
	Other Office	P
	Outdoor Athletic or Entertainment Facility, Private	P
Religious Institution		P
Restaurants	Restaurant, Drive-In or Outdoor Curb Service	P
	Restaurant, Indoor, with Seating Only	P
	Restaurant with Seating and Drive-Through Window	P
	Restaurant, Take-Out Only (Drive-Through or Walk Up)	P
Retail Sales and Service	Personal Service Oriented Use (excludes commercial greenhouses or any use with outdoor operations)	P
	Hair Salons, Beauty Shops, Barbershops	P
	Banks or Financial Institution	P
	Repair Oriented Use (No Outdoor Operations)	P
	Sales Oriented Use (No Outdoor Operations)	P
	Veterinarian/Kennel, Indoor	P
Vehicle Sales and Service	Car Wash (accessory use only)	P
	Convenience Store with Fuel Sales (minimum retail area 3,000sf)	P
	Vehicle Service, Limited	P

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

# 8. ZONING CONDITIONS

- Developed open space, calculated at 34.9% of the total developable area (Garner UDO Section 8.2) shall contain a minimum of three (3) of the following elements: paved walking trails; cornhole boards; butterfly garden; seat wall; bench; dog park; community garden; cut flower garden; playground; enhanced landscaping.
- The existing pond will remain as an environmental and amenity feature. The pond's area shall remain either its current size or greater. The pond shall include at least two of the following:
  - Benches
  - Gazebo
  - Enhanced landscaping
  - Natural (paved) walking trail(s)
- On-site recreational facilities shall include:
  - A pool
  - Playground
  - Fitness and yoga center
  - Bicycle lockers
  - Walking trails
  - Passive open space
- Perimeter buffer shall be a minimum of 30 feet. Existing trees and vegetation will be used with native supplemental plantings in sensitive areas.
- Outside of protected environmental areas, perimeter buffers shall be supplemented with evergreen plantings as necessary to achieve 50% of evergreen plant material within the buffer.
- All supplemental landscaping added to perimeter landscaping shall utilize native plant material
- Foundation condition - will follow developer standards for foundation band board.
  - Townhomes shall have a 12" foundation band board
  - Cottages shall have an 8" foundation band board.
- A varied color palette shall be utilized on buildings for each residential portion of the development to include a minimum of two color families for siding and shall include varied trim, shutter, and accent colors complimenting the siding color.
- Townhomes, cottages, and duplexes that have frontage on a right-of-way shall have trim around the windows on rear and side elevations.
- The following shall apply to townhome buildings: Roof line cannot be a single mass; it must be broken up either horizontally and/or vertically between, at a minimum, every other unit.
- Three of the following decorative elements shall be used on each building: decorative shake, board and batten siding, decorative porch rails and posts, shutters, decorative functional foundation and roof vents, recessed windows, decorative windows, decorative brick or stone, decorative gables, decorative cornices, or metal roofing.
- Fences not exposed to common open spaces or surrounding stormwater ponds shall be powder-coated aluminum picket type fencing.
- Vinyl siding shall be prohibited as a building material except as a trim option.



## 8. ZONING CONDITIONS

15. All garage doors shall have be affixed with carriage door adornments and windows,
16. Multifamily amenity area shall include:
  - A minimum 3,000 sf clubhouse;
  - A minimum 2,500 sf swimming pool;
  - Dog wash station;
  - Parcel/mail room;
  - Coworking area;
  - Elevators;
  - Covered parking.
  - All to be constructed within 18 months of issuance of multi-family building permit.
17. Multi-family apartments shall not use vinyl siding and shall have:
  - Cementitious siding that shall vary in type and color with brick, shakes, board and batten, or stone accents provided as decorative features - the masonry component shall be a minimum of fifty percent (50%) per building;
  - Other accessory buildings may only have a masonry wainscot;
  - Offsets in the plane of each facade for each apartment building;
  - Either masonry embellishment or 1x4 casing on all windows.
18. Multi-family buildings shall be located a minimum of 60 feet from existing single-family residential lot/structure
19. Non-residential buildings shall have architectural treatments such as varying roof forms, façade articulation, breaks in roof, walls with texture materials and ornamental details as well as landscaping may be incorporated to add visual interest. Large expanses of blank walls, greater than 25' in length or height, shall be broken up with architectural features such as windows, awnings etc. to reduce visual impacts.
20. Adjacent to all perimeter property lines, maximum building height will be limited to four stories.
21. Non-residential building roof features shall include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
22. Amenities that will serve a particular phase shall be built concurrently with that phase.
23. All off-street parking shall meet minimum parking standards outlined in the UDD.
24. Access shall be granted to the now or formerly known as the Carleton property (REID 001329/PIN 0790787494) via an access easement.
25. All road frontage improvements shall be made in accordance with the approved TIA (diagram showing committed improvements immediately following this sheet).
26. Streets shall be improved per TOG standards. Each street section shall be improved as follows, Fayetteville Road should be improved to half of a 6 lane thoroughfare with curb, gutter, and a 10' asphalt side path. St. Patrick Dr. and Woodcrest should be improved to half of a major local section with curb, gutter, and sidewalk.
27. Construction entrance shall be located on the subject property.
28. Related construction parking shall be located on site.
29. Developer shall perform a Phase I Environmental Assessment as part of their routine diligence. If contamination is found, and the developer is admitted into the NC Brownfield Program, the developer will follow the conditions provided thereunder by NC DEQ.



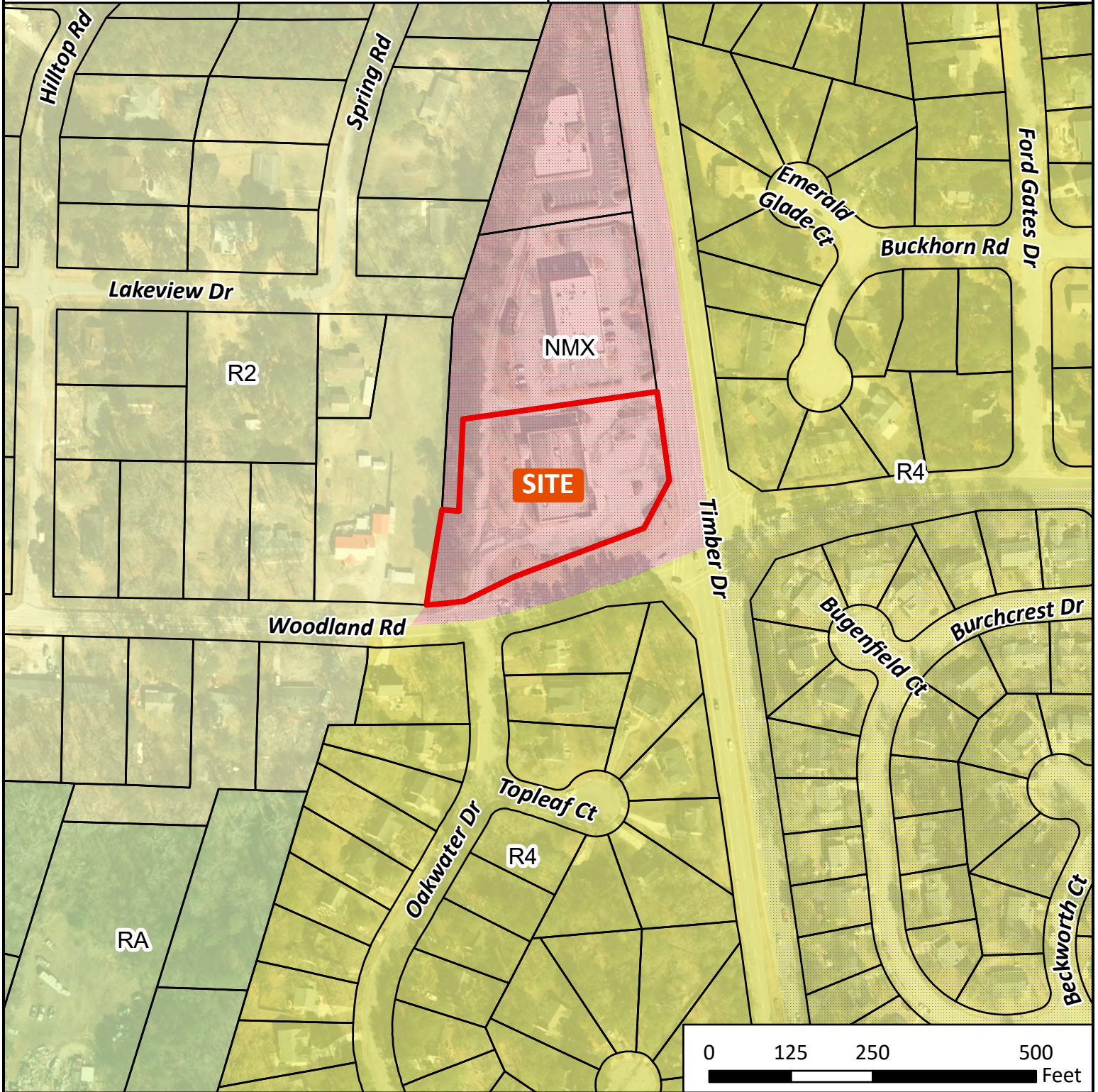
Town of Garner  
Town Council Meeting  
Agenda Form

Meeting Date: October 5, 2023		
Subject: Special Use Permit # SUP-23-01, Sully's Golf and Gather		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Joseph Linsky, Planner I		
Presenter: Joseph Linsky, Planner I		
<b>Brief Summary:</b>  Special use permit request (SUP-23-01) submitted by Sully's Golf and Gather, LLC, to establish a 10,800 square foot indoor entertainment facility in an existing building on 1.8 +/- acres, zoned Neighborhood Mixed Use (NMX C10) Conditional, at the corner of Timber Drive and Woodland Road. The site is located at 2311 Timber Drive and may be further identified as Wake County PIN# 1701605416.		
<b>Recommended Motion and/or Requested Action:</b> Consider motion to approve special use permit with project-specific conditions.		
<b>Detailed Notes:</b> A neighborhood meeting was held on Thursday June 29th, 2023. There were 20 attendees. As there is no site-specific plan as part of this application, only one neighborhood meeting is required. A neighborhood meeting packet is attached behind the staff report as well as preliminary statements from the applicant regarding the Town's eight (8) standard criteria for the granting of a special use permit.		
<b>Funding Source:</b> n/a		
Cost:	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 checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



# Town of Garner Planning Department

## Special Use Permit SUP-23-01



**Project:** Sully's Golf and Gather  
**Applicant:** Sully's Golf and Gather LLC  
**Owners:** The Newcastle Group III LLC  
**Location:** 2311 Timber Dr  
**Pin #:** 1701-60-5416

**Current Zoning:** Neighborhood Commercial  
 Conditional (NMX-C10)  
**Acreeage:** 1.8 +/-  
**Overlay:** RAO

## Planning Department Staff Report

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

**FROM:** Joseph Linsky, Planner I

**SUBJECT:** *Special Use Permit # SUP-23-01, Sully's Golf and Gather*

**DATE:** October 5, 2023

---

### I. PROJECT AT A GLANCE

**Project Number:** SUP-23-01

**Applicant:** Sully's Golf and Gather, LLC

**Owner:** Newcastle Group III, LLC

**General Description -**

**Proposed Use:** Indoor Entertainment Facility

**Project Location:** 2311 Timber Drive

**Wake Count PIN(s):** 1701605416

**Zoning Classification:** Neighborhood Mixed Use (NMX C10) Conditional

**Overlay District:** Residential Thoroughfare Overlay District (RTO)

**Key Meeting Dates –**

**Public Hearing:** October 5, 2023



## II. BACKGROUND / REQUEST SUMMARY

Special use permit request (SUP-23-01) submitted by Sully's Golf and Gather, LLC, to establish a 10,800 square foot indoor entertainment facility in an existing building on 1.8 +/- acres, zoned Neighborhood Mixed Use (NMX C10) Conditional, at the corner of Timber Drive and Woodland Road. The site is located at 2311 Timber Drive and may be further identified as Wake County PIN# 1701605416.

As background, the C10 conditional district was originally approved on November 2, 1987, under the Garner Land Use Ordinance. At the time, the following uses were noted to be "specifically prohibited": Use 1.300 Multi-family residences; Use 5.400 Social, civic, service, fraternal clubs and lodges, union halls and similar uses; and Use 18.000 Open air markets (farm and craft markets, flea markets, produce markets). All permitted uses in the base district were noted to be allowed, subject to the granting of a special use permit by the Town Council.

Sully's Golf and Gather is proposing to open an indoor golf facility with ancillary food and beverage (including alcohol) to be served. Based on the current UDO Section 6.6.4.E., Indoor athletic or entertainment facility - amusement activities carried on wholly within a building including bowling alleys, billiard parlors, theaters, escape rooms, video game arcades, laser tag, indoor paint ball, skating rink, and activities of a similar nature - are permitted within the Neighborhood Mixed Use (NMX) zoning district subject to the granting of a special use permit by the Town Council.



### III. COMMUNITY INFORMATION

**Overall Neighborhood Character:** This project is located at the northwest corner of Timber Drive and Woodland Road. This area encompasses a small mix of non-residential uses including restaurants, retail and office surrounded by single-family residential.

**Neighborhood Meeting:** A neighborhood meeting was held on June 29<sup>th</sup>, 2023. As there is no site-specific plan, only one neighborhood meeting was required. Staff identified 179 unique owners or occupants of properties within the notification radius and provided the following list to the applicant for first class mailed notice.

OWNER	ADDR1	ADDR2
JANNEY, TERRI L BROGDEN, PATRICIA G	1305 ELKHORN RD	GARNER NC 27529-3774
SMITH, CRAIG ANTHONY	5713 SPRING RD	RALEIGH NC 27603-4351
SINSARA INVESTMENTS, LLC	923 S BEND DR	DURHAM NC 27713-7273
BOYKIN, TERENCE DEMONDS	1309 ELKHORN RD	GARNER NC 27529-3774
JONES, BLANCHE H JULIAN E JONES	7302 OLD POHICK WAY	LORTON VA 22079-1561
HERNANDEZ, MA DE LOURD GARCIA ESTEBAN, LUIS ALF	105 EMERALD GLADE CT	GARNER NC 27529-3772
EARLY, WILLIAM DAVIE EARLY, REBECCA GOUGE	5716 SPRING RD	RALEIGH NC 27603-4352
CARRINGTON, WENDY GAIL	605 LAKEVIEW DR	RALEIGH NC 27603-4705
LEWIS, TODD ANTHONY LEWIS, DARLA M	705 OAK LANTERN CT	GARNER NC 27529-4166
LAPICKI, GREGORY LAPICKI, CARIN ALTON	2033 FORD GATES DR	GARNER NC 27529-3765
MUENTNICH, PIERRE J JR MUENTNICH, AMANDA J	1730 WOODLAND RD	GARNER NC 27529-3728
HAYES, RACQUEL	2031 FORD GATES DR	GARNER NC 27529-3765
NC DEPARTMENT OF TRANSPORTATION	PO BOX 3165	WILSON NC 27895-3165
REYER, ERIC ANDREW	818 OAKWATER DR	GARNER NC 27529-4100
TYNER, JIMMY LAYTON	5603 HILLTOP RD	RALEIGH NC 27603-4371
LICEA, SOCORRO LICEA-MARTINEZ, ARTURO	4404 IRENE WAY	RALEIGH NC 27603-8575
HANRATH, H DIETER HANRATH, CAROLE-ANN	825 OAKWATER DR	GARNER NC 27529-4160
ANDERSON, KEMIC ANDERSON, CRYSTAL	1485 S WADE AVE	GARNER NC 27529-3955
HELMS, DEBORAH	1300 BUCKHORN RD	GARNER NC 27529-3761
LEWIS, THOMAS O III LEWIS, TERESA S	830 OAKWATER DR	GARNER NC 27529-4100
PETERSON, IRENE MARIE TRUSTEE PETERSON, ERIC W	414 LAKEVIEW DR	RALEIGH NC 27603-4702
HARTGROVE, NEAL LAWRENCE HARTGROVE, JUDY H	822 OAKWATER DR	GARNER NC 27529-4100
JOHNSON, LILLIAN	5919 COLONIAL DR	RALEIGH NC 27603-4749
GARDNER, LENNIE T JR	6101 QUAIL SIDE CT	RALEIGH NC 27603-9447
EARLY, WILLIAM DAVIE EARLY, REBECCA GOUGE	5716 SPRING RD	RALEIGH NC 27603-4352
MCCANN, MARGARET L	6300 WALNUT GLEN DR	WILLOW SPRING NC 27592-7876
SAUNDERS, RODERICK HEIRS C/O CONSTANCE S PEEB	3122 HINES DR	RALEIGH NC 27609-7814
WELLS, DONAVAN ALLEN, DONISHA	805 OAKWATER DR	GARNER NC 27529-4159
GARDNER, CHRISTINE BLAKE GARDNER, LENNIE THOM	6101 QUAIL SIDE CT	RALEIGH NC 27603-9447
PARTIN, JAMES LEE	6009 COLONIAL DR	RALEIGH NC 27603-4747
SAINEGHI, JOHN	7912 FAIRLAKE DR	WAKE FOREST NC 27587-5433
TREPANIER, KENT M	1201 BUCKHORN RD	GARNER NC 27529-3758
TYNER, JAMES LAYTON	5603 HILLTOP RD	RALEIGH NC 27603-4371
SIGERO, OVIDIO LEON	503 WOODLAND RD	RALEIGH NC 27603-4739
SIGERO, OVIDIO LEON	503 WOODLAND RD	RALEIGH NC 27603-4739
COTTLE, KATIE O MANGUM, SHERRI	1734 WOODLAND RD	GARNER NC 27529-3728
RS RENTAL III-A LLC	199 LAFAYETTE ST APT 7A	NEW YORK NY 10012-4733
GODBOLD, BRIAN D.	520 WOODLAND RD	RALEIGH NC 27603-4740
REINHARD, GREGORY DARRYL REINHARD, MARY E	709 TOPLEAF CT	GARNER NC 27529-4165
ABBOTT, CAROL A	523 WOODLAND RD	RALEIGH NC 27603-4739
MORGAN, ANNE W	837 OAKWATER DR	GARNER NC 27529-4160
CHILD, CYNTHIA ANNE LARSON TRUSTEE LARSON FAMI	2036 FORD GATES DR	GARNER NC 27529-3766
MURPHY, KIMBERLY ANN	702 TOPLEAF CT	GARNER NC 27529-4165
WYNN, VERONICA MCCOY, NORMAN	712 OAK LANTERN CT	GARNER NC 27529-4166
MERICAL-SMITH, LUCILLE LENA	1726 WOODLAND RD	GARNER NC 27529-3728
POPE, DANIEL J	205 TIFFANY CIR	GARNER NC 27529-4326
ANDERSON, ANGEL R ANDERSON, VEOLA V	1512 BURCHCREST DR	GARNER NC 27529-3786
MURRAY, DONNA S	105 STANFIELD CT	GARNER NC 27529-3777
LUNDSTEN, ELAINE M	108 BUGENFIELD CT	GARNER NC 27529-3790
REASONS, CANDACE BLACKMON	1508 BURCHCREST DR	GARNER NC 27529-3786
HADDAD, RAAED AL HADDAD, DOHA AL	501 THISTLEGATE TRL	RALEIGH NC 27610-2154
SHERRILL, GERALD D	1513 BURCHCREST DR	GARNER NC 27529-3787
STEPHENS, THERESA STEPHENS, JOE L	1524 BURCHCREST DR	GARNER NC 27529-3786
BRITT, LEITH C BRITT, ISABELLE B	1520 BURCHCREST DR	GARNER NC 27529-3786
SABAS, TAL	1408 BURCHCREST DR	GARNER NC 27529-3784
ESCOBAR, MARCONY DELEON, LILLIAN	134 COOKE RD	LOUISBURG NC 27549-9194
FUMYXS LLC	PO BOX 311	GARNER NC 27529-0311
CLAYTON, AMANDA N	417 LAKEVIEW DR	RALEIGH NC 27603-4701



RODRIGUEZ FAMILY TRUST	2027 FORD GATES DR	GARNER NC 27529-3765
RODRIGUEZ FAMILY TRUST	2027 FORD GATES DR	GARNER NC 27529-3765
HYATT, ANDREW J HYATT, NANCY E	1301 BUCKHORN RD	GARNER NC 27529-3760
PEARCE, BOB R	3621 BRINKLEY DR	RALEIGH NC 27604-2545
LOWERY, KIMBERLY T	704 OAK LANTERN CT	GARNER NC 27529-4166
CAPPELSON, TAMARA	1303 ELKHORN RD	GARNER NC 27529-3774
BARAT, BARBARA A BARAT, STEPHEN G	810 OAKWATER DR	GARNER NC 27529-4100
DAVIS, PAMELA L	1306 ELKHORN RD	GARNER NC 27529-3773
CONSTANTINIDES, BRENT BELZAIRE, JENNISE	713 TOPLEAF CT	GARNER NC 27529-4165
AWAN, JAVED	308 MARBLE GLOW CT	CARY NC 27519-0805
MINION, CYNTHIA S	1704 GREEN HICKORY CT	APEX NC 27523-4802
HADDOCK, TONYA A	700 OAK LANTERN CT	GARNER NC 27529-4166
NIPPER, JAMES W NIPPER, BELINDA A	5707 HILLTOP RD	RALEIGH NC 27603-4363
DUKE, JEROME C DUKE, PATRICIA S	100 EMERALD GLADE CT	GARNER NC 27529-3771
TREADWAY, SHARON A	5705 HILLTOP RD	RALEIGH NC 27603-4363
DALEY, REBEKAH L	2035 FORD GATES DR	GARNER NC 27529-3765
DAVIS, ELMER G DAVIS, JOAN M	2030 FORD GATES DR	GARNER NC 27529-3766
PENNY, SHAWN E	1600 UPCHURCH WOODS DR	RALEIGH NC 27603-8033
WOOD, ANDREW D WOOD, MAGGIE	834 OAKWATER DR	GARNER NC 27529-4100
CUNNINGHAM, IVORY J CUNNINGHAM, REBECCA N	1404 BUCKHORN RD	GARNER NC 27529-3729
RICHEY, MARY JANE	1305 BUCKHORN RD	GARNER NC 27529-3760
IKHDEIR, MOHAMMAD	829 OAKWATER DR	GARNER NC 27529-4160
CULLOM, DAWN	1653 HALL BLVD	GARNER NC 27529-4354
PETERSON, IRENE MARIE TRUSTEE PETERSON, ERIC W	414 LAKEVIEW DR	RALEIGH NC 27603-4702
EADDY, TAYLOR POSTON	1401 BUCKHORN RD	GARNER NC 27529-3762
JABBAR, LEILA	600 LAKEVIEW DR	RALEIGH NC 27603-4753
MOYER, DEBRA K	1302 ELKHORN RD	GARNER NC 27529-3773
PHAM, TERESE PHAM, PAUL	1403 BUCKHORN RD	GARNER NC 27529-3762
BYRD, DELLA M	708 OAK LANTERN CT	GARNER NC 27529-4166
GURGANUS, MARJORIE C	6808 BREEZEWOOD RD	RALEIGH NC 27607-4705
HINTON, JEREMY T	809 OAKWATER DR	GARNER NC 27529-4159
WIMBERLEY, WAYLAND JOSEPH WIMBERLEY, RENEE C	2038 FORD GATES DR	GARNER NC 27529-3766
DEZERN, STEVEN D DEZERN, LEE ANN	1400 BUCKHORN RD	GARNER NC 27529-3729
VINSON ROYAL, BRENDA J	1203 BUCKHORN RD	GARNER NC 27529-3758
ALAM, JAHANGIR JANNA, ZAHEDA KHANAM	839 OAKWATER DR	GARNER NC 27529-4160
NEWCASTLE GROUP THE III LLC WALGREENS CO	PO BOX 1159	DEERFIELD IL 60015-6002
PARKER, CHARLES T PARKER, SANDRA O	601 LAKEVIEW DR	RALEIGH NC 27603-4705
SCHLENKER, COURTNEY SCHLENKER, PAUL	1406 BUCKHORN RD	GARNER NC 27529-3729
MCKAY, DELLALEAH ZANDERS	704 TOPLEAF CT	GARNER NC 27529-4165
RUSHING, ELLIOT A RUSHING, AMBER P	801 OAKWATER DR	GARNER NC 27529-4159
BOWDEN, WILLIAM FLOYD BOWDEN, ABBIE	1327 OLD BUCKHORN RD	GARNER NC 27529-3768
CANNADY, MARVIN REGINALD DAYS, MARY FRANCES	700 TOPLEAF CT	GARNER NC 27529-4165
BOONE, NADIA	901 OAKWATER DR	GARNER NC 27529-4168
MERCER, CARLYNN ALEXIS MERCER, JEREMY MARVIN	826 OAKWATER DR	GARNER NC 27529-4100
SMITH, DONALD WAYNE	821 OAKWATER DR	GARNER NC 27529-4160
HUNTER, THOMAS E HUNTER, GENELL S	705 TOPLEAF CT	GARNER NC 27529-4165
TUTEN, RICHARD M JR	4005 PEPPER TON DR	RALEIGH NC 27606-1731
TURNER, WILLIAM DURWARD JR	2029 FORD GATES DR	GARNER NC 27529-3765
FLEMING, RICHARD HENRY FLEMING, MYLENE BAITO	507 WOODLAND RD	RALEIGH NC 27603-4739
SEARLES, DONALD J SEARLES, BETTY	838 OAKWATER DR	GARNER NC 27529-4100
BALMER, STEPHEN M BALMER, MELISSA J	106 EMERALD GLADE CT	GARNER NC 27529-3771
MIZELLE, SCOTT R	1311 ELKHORN RD	GARNER NC 27529-3774
BLIZNIAK, PAUL K	1738 WOODLAND RD	GARNER NC 27529-3728
LADA, KEITH LADA, NANCY E	505 WOODLAND RD	RALEIGH NC 27603-4739
TYSOR, CAROL ANN TRUSTEE	21 WARWICK ST	PORTSMOUTH VA 23707-1047
MUNSTER, MICHAEL JOSEPH MUNSTER, BEATRIZ V	2034 FORD GATES DR	GARNER NC 27529-3766
PACHECO, LORENA L MAGAN DE BENAVIDES, MANUEL F	101 STONECUTTER CT	GARNER NC 27529-3756
GACHER, PHRAN E	842 OAKWATER DR	GARNER NC 27529-4100
DANIEL, GAIL M	1405 BUCKHORN RD	GARNER NC 27529-3762
YAMASA CO LTD	PO BOX 4090	SCOTTSDALE AZ 85261-4090
MUNN, SHIRLEY L MUNN, DEBRA D	701 OAK LANTERN CT	GARNER NC 27529-4166
PROGRESS RESIDENTIAL BORROWER 5 LLC	PO BOX 4090	SCOTTSDALE AZ 85261-4090
KINTAUDI, BAKOMA P KINTAUDI, KOKOLO KIELA	1405 BECKWORTH CT	GARNER NC 27529-3781
CURRY, CHARLES MITCHELL	1501 BURCHCREST DR	GARNER NC 27529-3787
SANCHEZ, GRACIELA SHAWVER, LINDSEY	1505 BURCHCREST DR	GARNER NC 27529-3787
STONE, WILLIAM T STONE, KAREN G	105 BUGENFIELD CT	GARNER NC 27529-3790
CATTANO, KAREN G	101 BUGENFIELD CT	GARNER NC 27529-3790

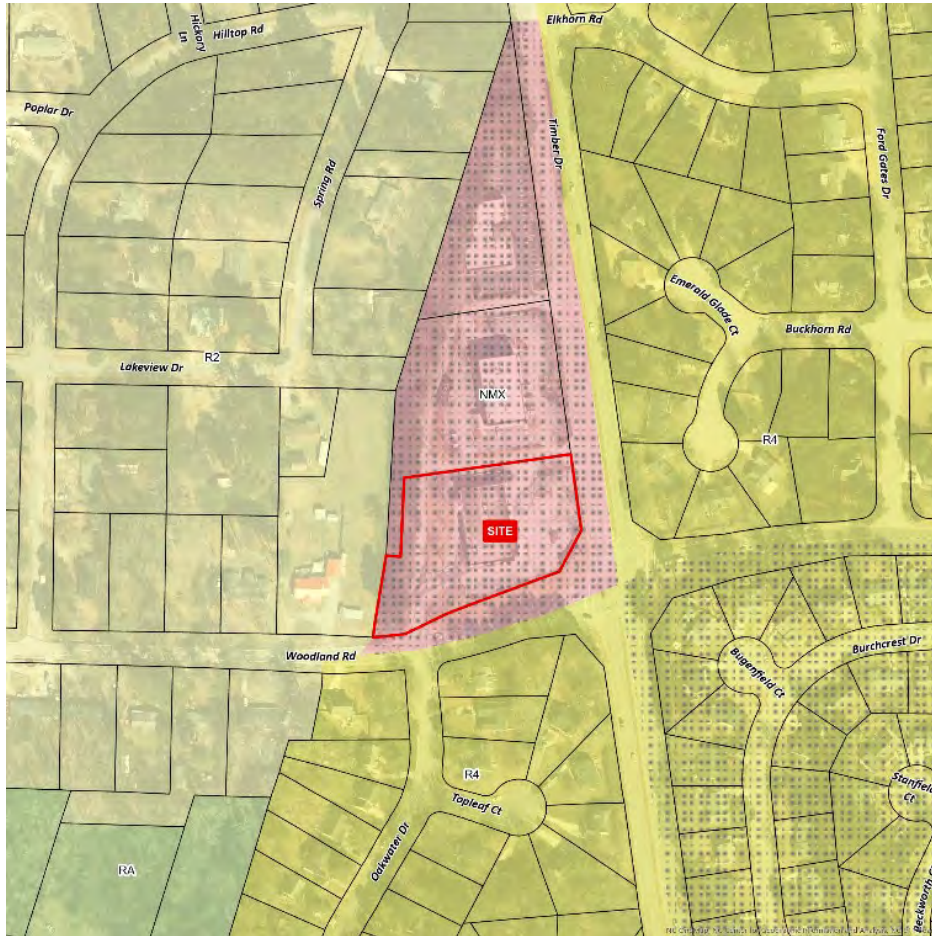


RAMSEY, JENNIFER SMITH	1509 BURCHCREST DR	GARNER NC 27529-3787
HIMEBAUGH, NICOLE TIPLING, NICHOLAS	109 HIDDENWOOD CT	GARNER NC 27529-3776
HENRY, BRUCE ALLEN HENRY, KIMLA F	104 HIDDENWOOD CT	GARNER NC 27529-3776
SALAS, MIGUEL A RAMOS, MARGARITA	100 BUGENFIELD CT	GARNER NC 27529-3790
SMALLWOOD, PAMELA A	108 HIDDENWOOD CT	GARNER NC 27529-3776
WOODARD, MARY INEZ WOODARD, MATTHEW FORO	1517 BURCHCREST DR	GARNER NC 27529-3787
ELLIOTT, JEROME ELLIOTT, PHYLLIS M	1504 BECKWORTH CT	GARNER NC 27529-3782
GUNN, HAYDEN OLIVER THURSTON, MIA R	100 STANFIELD CT	GARNER NC 27529-3777
MANNE, SRAVANTHI CHINTA, SREEKANTH BALAJI	1504 BURCHCREST DR	GARNER NC 27529-3786
MCNAMEE, CHARLES P	104 BUGENFIELD CT	GARNER NC 27529-3790
OSBORNE, LAUREN K FERGUSON, RICHARD D	1405 BURCHCREST DR	GARNER NC 27529-3785
LEDBETTER, ERNESTINE	1401 BURCHCREST DR	GARNER NC 27529-3785
BARNES, GERRIE L	1404 BURCHCREST DR	GARNER NC 27529-3784
NGUYEN, QUANG C	104 STANFIELD CT	GARNER NC 27529-3777
REDDICK, ROBERT A	1400 BURCHCREST DR	GARNER NC 27529-3784
ANDERSON, OLLIE M	1516 BURCHCREST DR	GARNER NC 27529-3786
VELASQUEZ, LUCIA MENDEZ PINEDA, JAVIER ALEX	409 LAKEVIEW DR	RALEIGH NC 27603-4701
GOWER, CARLTON MARK GOWER, MIE HUA	500 WOODLAND RD	RALEIGH NC 27603-4754
JOHNSON, ARBODELLA B	5807 HILLTOP RD	RALEIGH NC 27603-4347
SAGINAW, JEFFREY JAMES	5801 HILLTOP RD	RALEIGH NC 27603-4347
TUTEN, RICHARD M JR	4005 PEPPER TON DR	RALEIGH NC 27606-1731
NEVILLE, RONNIE YATES NEVILLE, JEWELL M	123 BERRINGER LN	GARNER NC 27529-8274
TIMBER REALTY LLC	1436 ENCHANTED OAKS DR	RALEIGH NC 27606-9010
SMITH, CRAIG ANTHONY	5713 SPRING RD	RALEIGH NC 27603-4351
VALLETTA, JUSTIN R GODWIN, KAITLYN ELISABETH	5705 SPRING RD	RALEIGH NC 27603-4351

NAME	ADDRESS	USPS_CITY	ZIPCODE	STATE
Occupant	101 Stanfield Ct	Garner	27529	NC
Occupant	102 Emerald Glade Ct	Garner	27529	NC
Occupant	104 Emerald Glade Ct	Garner	27529	NC
Occupant	105 Bugenfield Ct	Garner	27529	NC
Occupant	1201 Buckhorn Rd	Garner	27529	NC
Occupant	1203 Buckhorn Rd	Garner	27529	NC
Occupant	1205 Buckhorn Rd	Garner	27529	NC
Occupant	1307 Elkhorn Rd	Garner	27529	NC
Occupant	1402 Buckhorn Rd	Garner	27529	NC
Occupant	1409 Burchcrest Dr	Garner	27529	NC
Occupant	501 Woodland Rd	Raleigh	27603	NC
Occupant	504 Woodland Rd	Raleigh	27603	NC
Occupant	511 Woodland Rd	Raleigh	27603	NC
Occupant	515 Woodland Rd	Raleigh	27603	NC
Occupant	517 Woodland Rd	Raleigh	27603	NC
Occupant	519 Woodland Rd	Raleigh	27603	NC
Occupant	521 Woodland Rd	Raleigh	27603	NC
Occupant	524 Woodland Rd	Raleigh	27603	NC
Occupant	5700 Spring Rd	Raleigh	27603	NC
Occupant	5702 Spring Rd	Raleigh	27603	NC
Occupant	5721 Spring Rd	Raleigh	27603	NC
Occupant	5815 Hilltop Rd	Raleigh	27603	NC
Occupant	5817 Hilltop Rd	Raleigh	27603	NC
Occupant	6017 Colonial Dr	Raleigh	27603	NC
Occupant	6033 Colonial Dr	Raleigh	27603	NC
Occupant	704 Topleaf Ct	Garner	27529	NC
Occupant	814 Oakwater Dr	Garner	27529	NC
Occupant	905 Oakwater Dr	Garner	27529	NC

#### **IV. ADJACENT ZONING AND LAND USE**

- North:** Neighborhood Mixed Use (NMX C10) Conditional
- South:** Residential 4 (R4)
- East:** Residential 4 (R4)
- West:** Residential 2 (R2)



#### **V. STAFF RECOMMENDATION**

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

1. Prior to certificate of occupancy, an inspection of existing landscaping at the project site shall be conducted by staff and any missing landscaping shall be installed. This includes the original zoning conditions that 1) a 25-foot minimum width buffer adjacent to property now or formerly owned by H.G. Belk and adjacent to Section 6 – Block H of the Echo Heights subdivision shall remain undisturbed, except to plant any required vegetation; and 2) that a Type A screen (Garner Land Use Ordinance) be planted and

maintained adjacent (not any closer than 25 feet to the adjacent properties) and in addition to the 25-foot undisturbed buffer.

The applicant will provide testimony as to how their proposal meets the Town's eight (8) standard criteria for approving a special use permit. The applicant's preliminary statements are attached to this report for your consideration. A motion worksheet follows on the next page.



# SUP-23-01, Sully's Golf and Gather

## Special Use Permit Motion Worksheet

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

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

"I find that application # SUP-23-01 meets the Town's eight (8) criteria for special use permits as identified in Article 4.7.4.D.; therefore, I move that the Town Council approve SUP-23-01, Sully's Golf and Gather with the one (1) project-specific condition to be listed on the permit that will be prepared by staff.

**Optional (conditions – mark, fill in and read all that applies):** ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

- \_\_\_ adjoining property,
- \_\_\_ the existing natural and man-made features of the site,
- \_\_\_ off-site and on-site traffic flow,
- \_\_\_ public utilities,
- \_\_\_ such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development (*enumerate plan services/goals*):

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**Condition #1:**

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**Condition #2:**

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**Condition #3, etc.:**

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**2. DOES NOT MEET THE SPECIAL USE CRITERIA AND DENY**

"I find that application # SUP-23-01 does not meet one or more of the Town's eight (8) criteria for special use permits as identified in Article 4.7.4.D:

*(Check and read all that apply – include stated reason/evidence)*

1. The proposed use **will** endanger the public health or safety  
*because/as evidenced by \_\_\_\_\_;*
2. The proposed use **will** substantially injure the value of adjoining or abutting property  
*because/as evidenced by \_\_\_\_\_;*
3. If completed as proposed, the development will **not** comply with all the requirements of this Ordinance  
*because/as evidenced by \_\_\_\_\_;*
4. The proposed use is **not** consistent with the Town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of this UDO  
*because/as evidenced by \_\_\_\_\_;*
5. The proposed use is **not** compatible with adjacent uses and proximate neighborhood in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts)  
*because/as evidenced by \_\_\_\_\_;*
6. Any significant adverse impacts resulting from the use will **not** be mitigated or offset, including impacts on the natural environment.  
*because/as evidenced by \_\_\_\_\_;*
7. The public safety, transportation and utility facilities and services will **not** be available to serve the subject property while maintaining sufficient levels of service for existing development  
*because/as evidenced by \_\_\_\_\_;*
8. **Inadequate** assurances of continuing maintenance have been provided  
*because/as evidenced by \_\_\_\_\_;*

therefore, I move that the Town Council deny SUP-23-01, Sully's Golf and Gather.

ATTACHMENT:  
PRELIMINARY STATEMENTS ON COMPLIANCE WITH STANDARD SUP CRITERIA  
AND NEIGHBORHOOD MEETING INFORMATION PACKET

DocuSign Envelope ID: 0185109F-7172-4241-B0E2-F0011FDC1D5E



- SPECIAL USE PERMIT -  
SITE PLAN/ SUBDIVISION

**FINDINGS OF FACT:**

*Special use applications may be approved by the Town Council if it finds that all the following findings of fact have been met:*

a. The proposed use will not endanger the public health or safety.

See Paragraph #1 on Exhibit #1 attached hereto and incorporated herein by reference.

b. The proposed use will not substantially injure the value of adjoining or abutting property.

See Paragraph #2 on Exhibit #1 attached hereto and incorporated herein by reference.

c. If completed as proposed, the development will comply with all requirements of this Ordinance.

See Paragraph #3 on Exhibit #1 attached hereto and incorporated herein by reference.

d. The proposed use is consistent with the Town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan).

See Paragraph #4 on Exhibit #1 attached hereto and incorporated herein by reference.

e. The proposed use is compatible with adjacent uses and proximate neighborhood in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).

See Paragraph #5 on Exhibit #1 attached hereto and incorporated herein by reference.

f. Any significant adverse impacts resulting from the use will be mitigated or offset, including impacts on the natural environment.

See Paragraph #6 on Exhibit #1 attached hereto and incorporated herein by reference.

g. The public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing development.

See Paragraph #7 on Exhibit #1 attached hereto and incorporated herein by reference.

h. Adequate assurances of continuing maintenance have been provided.

See Paragraph #8 on Exhibit #1 attached hereto and incorporated herein by reference.





**CONDITIONS OF APPROVAL:**

*Without limiting the foregoing, the permit-issuing authority may attach a condition limiting the permit to a specified duration or may otherwise impose such reasonable conditions as necessary to address the impacts of the proposed developments on:*

i. Adjoining property.

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ii. The existing natural and man-made features of the site.

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iii. Off-site and on-site traffic flow.

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iv. Public utilities, infrastructure, and services.

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v. Such other public services or goals of the Comprehensive Growth Plan, adopted plans, or the Transportation Plan that may be negatively impacted by the proposed development.

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vi. Additional proposed conditions.

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All additional conditions or requirements shall be recorded on the permit and shall be deemed to have been consented to by the applicant. All additional conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirements of the Town of Garner Unified Development Ordinance.

Note: Due to physical storage space limitations, we respectfully request that you not submit plan reviews out-of-cycle. If you will not be meeting the next submittal deadline, please visit the Submittal Schedule at [www.garnernc.gov](http://www.garnernc.gov) to determine the next submittal date.

NEIGHBORHOOD MEETING FOR SULLY'S GOLF AND GATHER, LLC

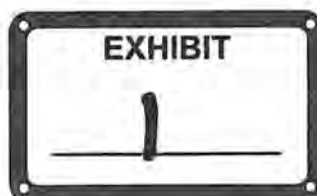
JUNE 29, 2022, 7:00 PM AT 2311 Timber Drive Garner, NC 27529

We will address each component of the Special Use Permit Review of the Garner Unified Development Ordinance to ensure everyone in the community understands what we're planning for our business at this location. Some of this will be redundant; some may seem technical. We hope to present it in so that you understand. Each of the 8 numbered paragraphs below states the criteria needed to be proved by us to secure a Special Use Permit to operate here. Opportunities for questions and comments will be provided after each criteria presentation. The 8 criteria to be addressed in the Neighborhood Meeting and afterward at the public hearing before the Garner Town Counsel are listed below followed by a statement of the evidence. Some of the information will be repetitive and technical; however, it must be addressed in each of the criteria below.

**NOTICE**

**THE SUPPORTING STATEMENTS BELOW WILL BE SUBMITTED IN THE APPLICATION. HOWEVER, THE STATEMENTS ON THE APPLICATION MAY CHANGE DEPENDING ON COMMENTS BY THE PLANNING STAFF AT THE PREFILING MEETING AFTER THE NEIGHBORHOOD MEETING.**

1. **The proposed use will not endanger the public health or safety.**
  - a. The primary components of Sully's Golf and Gather is golf lessons and golf practice. In addition, we will be offering a limited food menu and a craft cocktail and beer menu. The use of the property is not associated with any type of extreme behavior and the clientele would be primarily interested in golf, improving their golf game, and doing so with friends and family. The business is geared toward all ages and genders and focused on the community and family aspect of the game.
2. **The proposed use will not substantially injure the value of adjoining or abutting property.**
  - a. Sully's client base's interest is focused on individuals who want to improve their golf game. Customer traffic as well as the intensity of Sully's will be much less than the previous retail use.
  - b. Occupation of the building will minimize or eliminate negative traffic flow. In the short time we've possessed the property, parking lot traffic has decreased. We have communicated with our realtor and he has provided testimony that the presence of this business will not injure the value of the adjacent properties.



3. **If completed as proposed, the development will comply with all requirements of this Ordinance.**

- a. During the previous 2 meetings with the Town of Garner Planning Staff, we have discussed the requirements of the ordinance to ensure that we are complying with every aspect of the ordinance. We have been directed and advised by the Town of Garner planning staff through every step of the process to ensure that we are following the correct protocol.

4. **The proposed use is consistent with the Town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan).**

- a. We have been advised in our meetings with the planning staff that we are in compliance and our plan does fit with the general zoning plan. Based on these staff comments, we believe that the proposed use is consistent with the town's adopted transportation plan. A traffic generation letter signed by an engineer will be submitted at the public hearing.
- b. Rite Aid pharmacy previously operated at the site.
- c. Our proposed use will be for indoor golf practice and play.
- d. There will be no appreciable increase in traffic, no odor, no noise, and no lighting issues.
- e. There will be no exterior construction and no external impacts.
- f. There will be a reduction in negative traffic including vagrancy.
- g. Operating hours are 8 am to 10 pm Monday through Sunday.
- h. The facility will be staffed during the operating hours.

5. **The proposed use is compatible with adjacent uses and proximate neighborhood in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting noise, odor, dust, and other external impacts).**

- a. Building scale is the same.
- b. Site design does not differ.
- c. The landscaping is updated to the code complaint.
- d. The hours of operation are: 8:00 AM to 10:00 PM.



- e. The trip generation letter is included with the application.
  - f. There are no other external factors relating to lighting noise, odor, dust, or any others.
6. **Any significant adverse impacts resulting from the use will be mitigated or offset, including impacts on the natural environment.**
- a. A local landscaping business will handle the landscaping maintenance to ensure a neat appearance and compliance with landscaping ordinance provisions.
  - b. Curb appeal has already been improved.
7. **The public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing developments.**
- a. With 55 spaces, parking is more than adequate for our use.
  - b. Overflow parking should not be an issue or impact adjacent O and I users.
  - c. The occupancy use will be less impactful than the previous tenant.
8. **Adequate assurances of continuing maintenance have been provided.**
- a. Sully's will be staffed during all operating hours and will be authorized to take the necessary actions, if any, as needed.
  - b. Sully's has maintenance/service contracts with licensed HVAC contractors.
  - c. Periodic maintenance and cleaning will maintain the site's appearance.
  - d. We have communicated with our neighboring businesses to assure them that we will be good neighbors.



June 14th, 2023

Re: Invitation to Neighborhood Meeting for proposed rezoning of 10,800 square feet former Rite Aid building on the corner of Timber Drive and Woodland Rd.

Dear Property Owner or Neighborhood Association President/Member: You are cordially invited to a neighborhood meeting regarding an application for a special use permit proposal in your area (details below).

This proposal is for the 10,800 square feet of vacant building, formerly a Rite Aid, located at the corner of Woodland Road and Timber Drive. (See attached map, Exhibit C). Our request will be for the Town of Garner to issue a special use permit for an indoor recreation facility with ancillary food and beverage. Attached, please find photos of the proposed view of the exterior of the building as well as a digital rendering of the interior of the facility (Exhibits A and B). A neighborhood meeting will be held at 2311 Timber Drive, Garner, NC as listed below to present exhibits of the proposal, to discuss the proposed changes, and answer any questions. Our goal is to proceed with the application of the special use permit. We will continue to communicate with the surrounding community to maintain full transparency of our plan to revitalize this section of Garner. The details of the neighborhood meeting are listed below. As you will note, you may join in person or by digital device if you are unable to attend in person. If you have any technical issues joining the meeting, please contact me using the contact information at the bottom of this letter.

**Neighborhood Meeting Information:**

**Date/Time:** June 29, 2023 at 7:00 p.m.

**Online Access:** Google Meet

Neighborhood Meeting

Google Meet joining info

Video call link: <https://meet.google.com/xzb-mqoh-kie>

I encourage you to reach out and feel free to ask any questions you may have about this proposal. Any additional questions shared with me will be answered at the neighborhood meeting so everyone will have the opportunity to hear the answers.

Sincerely,  
Mike and Lauren Sullivan  
Sully's Golf and Gather  
[sullysgolf@gmail.com](mailto:sullysgolf@gmail.com)  
919-389-8786

Exhibit A



Exhibit B



Exhibit C





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# Neighborhood Meeting

Thursday, June 29, 2023

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## Presenters

Michael Sullivan, Co-Owner  
Lauren Rosella Sullivan, Co-Owner  
Allen Tew, Attorney  
Michael Solberg, Realtor

## Agenda

### Each Component of the Criteria for Granting A Special Use Permit Was Addressed

1. The proposed use will not endanger the public health or safety.
2. The proposed use will not substantially injure the value of adjoining or abutting property.
3. If completed as proposed, the development will comply with all requirements of this Ordinance.
4. The proposed use is consistent with the town's adopted transportation plan(s), other relevant adopted plans and policies, and the stated purpose and intent of the UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan).
5. Any significant adverse impacts resulting from the use will be mitigated or offset, including impacts on the natural environment.
6. The Public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing developments.
7. Adequate assurances of continuing maintenance have been provided.

### Questions Raised by The Attendees were answered

## Notes

- **No attendees had any disapproval for the permit**
-



- **See attachments**

- **Exhibit A - Attendee Sign In Sheet**
- **Exhibit B - Comment Sheet**

# NEIGHBORHOOD MEETING SUMMARY FORM

## FILL OUT THE FOLLOWING:

Application: Sully's Golf and Gather, LLC PAGE 1

Date of Mailing: June 14, 2023

Date of Meeting: June 29, 2023 Time of Meeting: 7:00 PM

Location of Meeting: 2311 Timber Drive, Garner, NC 27529

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: MICHAEL SULLIVAN Signature: \_\_\_\_\_

---

**Meeting Summary/Minutes:** *provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.*

The meeting began on time. The attached "sign in sheets" show 20 signed in. All consent boxes on said sheets are checked.

The presentation began by Allen Tew briefly explaining the process for obtaining a Special Use Permit, beginning with the Neighborhood Meeting through the public hearing before the Town Council. Mike Sullivan explained in detail the project proposal with a power point presentation summarizing the evidence. to be presented at the public hearing for each of the "findings of fact" required to obtain a Special Use Permit. Mike Solberg, a real estate agent opined that the use would not decrease the value of adjacent property. It was noted that a Trip Generation Letter would be presented to address the traffic impact issue.

The following questions/comments were addressed:

- 1) BUSINESS HOURS: 8-10 every day
- 2) FAMILY ATMOSPHERE: Yes. Golfers of all ages come for lessons (including junior individual and class) and practice on the simulators, often bringing their friends and children.

*Please write clearly (or submit a typed summary). Use additional sheets if necessary.*



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Printed Name: MICHAEL SULLIVAN Signature: \_\_\_\_\_

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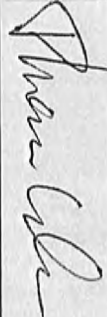

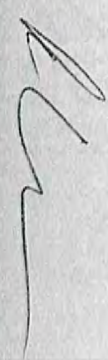
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**Neighborhood Meeting**  
**Thursday, June 29th 7 PM**  
**Sign In Sheet**

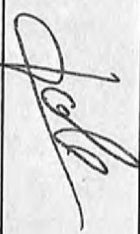


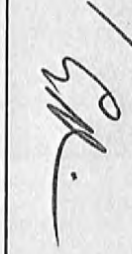
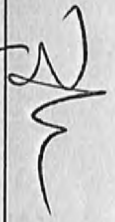
\*This meeting will be filmed and the footage will be used exclusively for the pursuit of the special use permit. Only presenters will be shown on the video. However, the audio portion with comments and responses will be preserved and used.

Name	Physical Address & Email address	Signature	Check Box to Consent*
Phran leader	5112 Lakewater Dr Phran@att.net		<input checked="" type="checkbox"/>
DAN SEARLES	838 BARKHOLTER DR REBDON@GMAIL.COM		<input checked="" type="checkbox"/>
Johnnie Burtin	709 Oakhurst Ct Gaines	JOHNNIE BURTIN	<input checked="" type="checkbox"/>
Rod Henderson	1922 Lenox Dr 27529		<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



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Name	Physical Address & Email address	Signature	Check Box to Consent*
Aie Volkman	432 Realist Dr 27560 Northville aie.malkis.volkman@gmail.com		<input checked="" type="checkbox"/>
Dawn SWANSON	842 OAKDALE GARDER		<input checked="" type="checkbox"/>
Lisa + Rick YELMINI	5008 SHUBBEE PL TRAVY VAHVA NC 27526		<input checked="" type="checkbox"/>
Erick AND	5414 Crescentview Pkwy Raleigh, NC 27606		<input checked="" type="checkbox"/>
Blair Fode	116 Tallwood Dr Gardner NC 27029		<input checked="" type="checkbox"/>
			<input type="checkbox"/>



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Name	Physical Address & Email address	Signature	Check Box to Consent*
Ernestine Ledbetter	1401 Bercharest Dr Garnes, Mo	<i>Ernestine Ledbetter</i>	<input checked="" type="checkbox"/>
Jimmy Tyler	5603 Hilltop Rd	<i>Jimmy Tyler</i>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



**Neighborhood Meeting**  
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**Sign In Sheet**


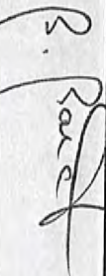
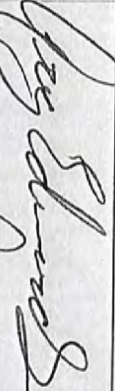
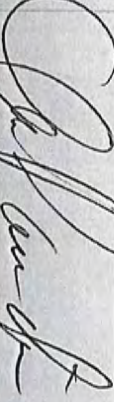
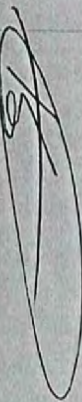
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Name	Physical Address & Email address	Signature	Check Box to Consent*
Tom Miller	109 Chatham Ct Andover	[Signature]	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



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Name	Physical Address & Email address	Signature	Check Box to Consent*
MIKE + ANISSA SPRINGS	118 JIMMUN CT		<input checked="" type="checkbox"/>
Barbara Barst P. Barst	810 Oakwater Dr. sbarst@hotmail.com		<input checked="" type="checkbox"/>
Greg Edwards	11208 Irene Way		<input checked="" type="checkbox"/>
MARY PAULISTO	4 THECTENHAM GARYTON 27520		<input checked="" type="checkbox"/>
HELEN COSTAN	4779 SPANTEL LANE		<input checked="" type="checkbox"/>
			<input type="checkbox"/>