

The Park at Garner Station

Planned Development District Conditional Rezoning CZ-PD-22-04

Town Council
March 19, 2024

General Case Information

Applicant:	Laura Holloman, McAdams
Owners:	East Garner Holding LLC
Designer:	McAdams & Robert Shunk, Gander Development
Location:	E Garner Rd
Tract Size:	96.73 +/- acres
Request:	Planned Unit Development District (PUD Book + written conditions)

Tier 2 Planned Development Conditional Rezoning request submitted by McAdams to rezone 96.73 +/- acres from Multifamily 1 (MF-1), Single Family Residential (R-40), and Single Family Residential (R-12) to Planned Unit Development (PD C16) Conditional for a mixed-use development consisting of a maximum of 350 Townhomes, ~~700~~ (now 600) Apartments, and ~~20,000~~ (now 35,000) square feet of commercial space.

Site Location (Aerial)

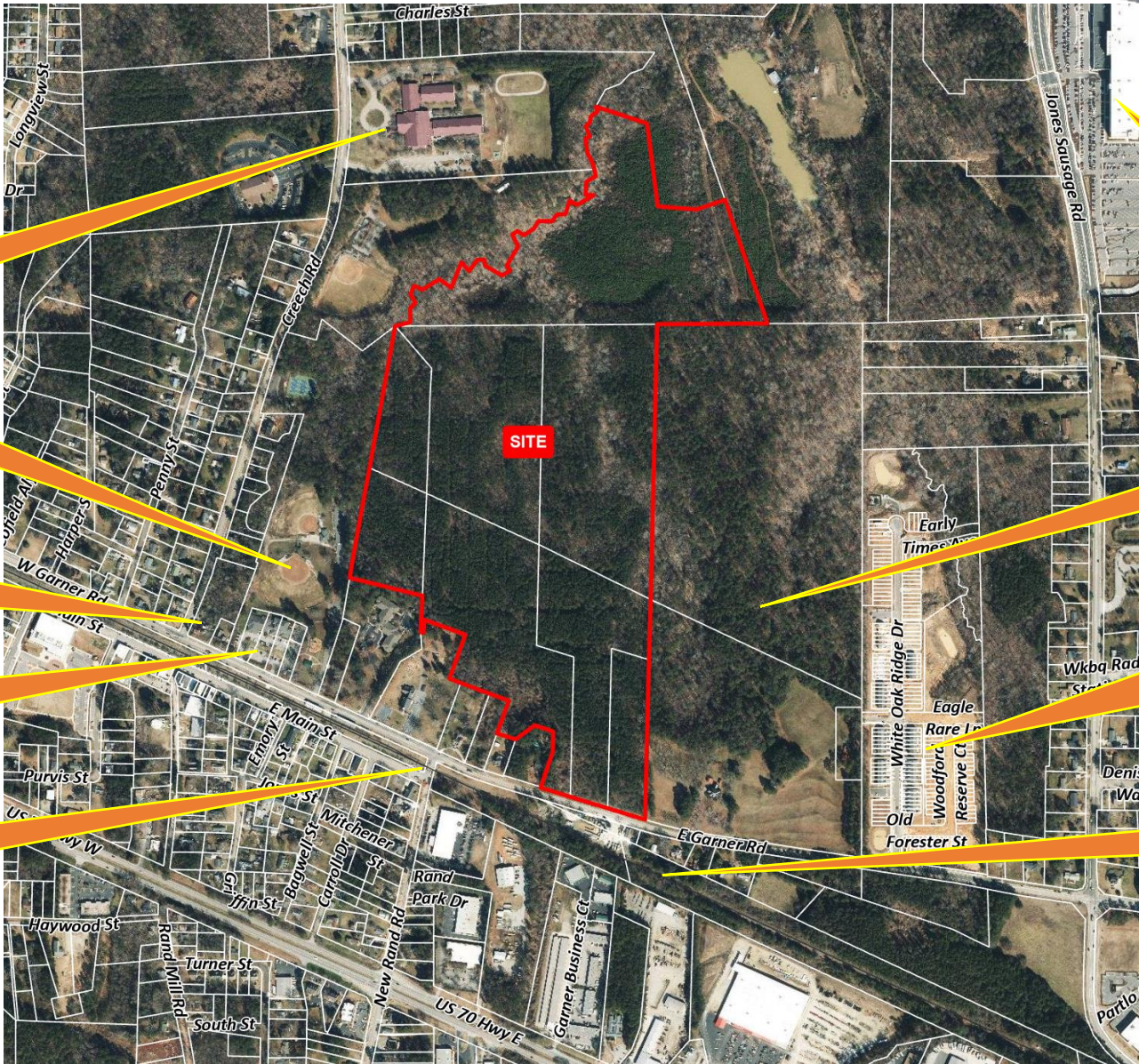
Creech Road Elementary

Garner Recreation Park

Banks House B&B

Senior Center

New Rand RR Crossing



Amazon

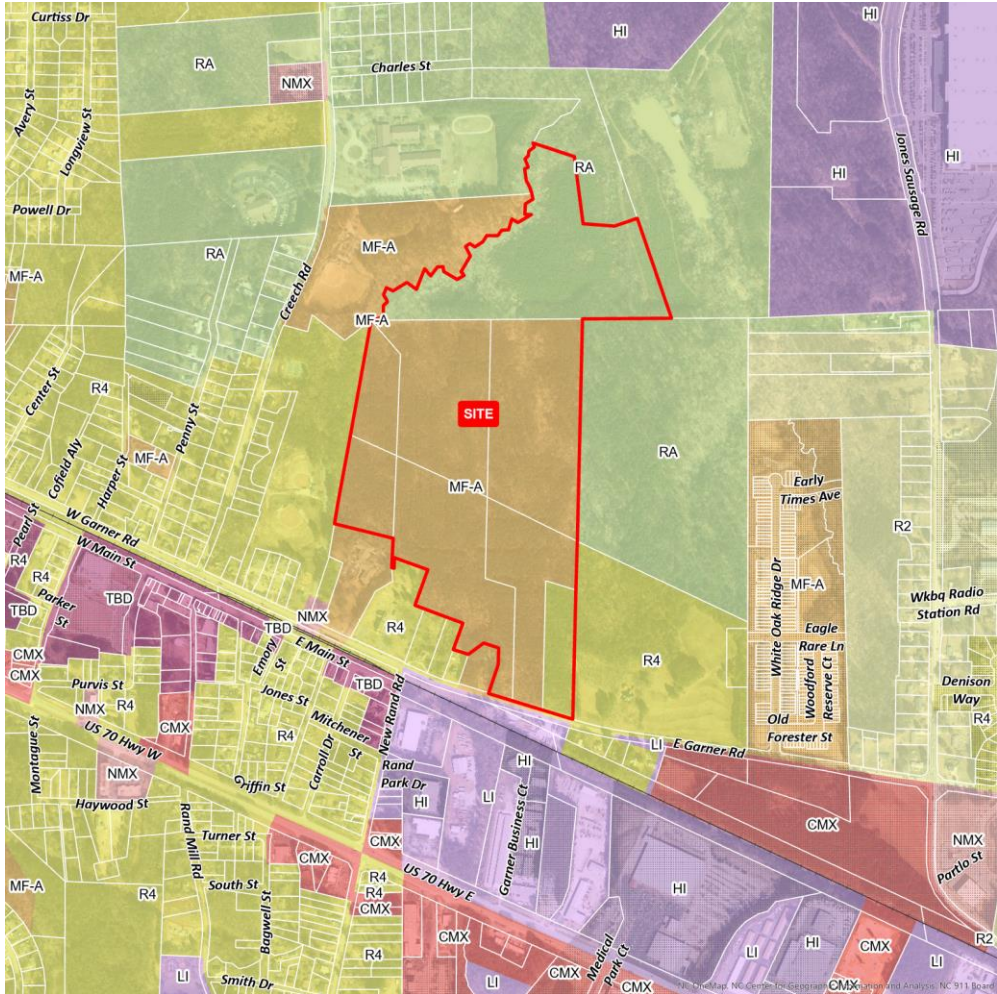
Town Park Property

The Avenue at White Oak Subdivision

Railroad

Adjacent Zoning & Land Use

- North:** MF-A/RA Creech Road Elementary School
Vacant
- South:** NMX/R4/LI/MF-A
Hayes Chapel Christian Church
Chadwick Apartments
Residential
Railroad Corridor
- East:** RA/R4
Future Yeargan Park
- West:** R4
Garner Recreation Park



Proposed Conditions

(changes since PH highlighted)

1. The following is a list of permitted uses:

Use Category	Specific Use	
Household Living*	Townhouse	P
	Condominium	P
	Multifamily (triplex and higher including apartment)	P
	Residential Cluster	P
	Single-Family Detached	P
	Two-Family Dwelling	P
Day Care	Adult Daycare	P
	Day Care Center	P
Entertainment	Bar, Nightclub, Tavern	P
	Indoor Entertainment Facility	P
	Gym, Spa, Indoor Tennis Court or Pool, Private	P
	Outdoor athletic or Entertainment Facility, Public or Private	P
Parks and Open Space	Public Park Swimming pool, Tennis Court, Golf Course	P

Proposed Conditions

1. The following is a list of permitted uses (cont.):

Use Category	Specific Use	
Restaurant	Restaurant Take-Out only (Drive Through or Walk UP) maximum indoor area of 3000sf)	P
Retail Sales and Service	Convenience Store without Fuel Sales	P
	Personal Service- Oriented Uses (excludes commercial greenhouses or any use with outdoor operations)	P
	Hair salons Barbershops Beauty Shops	P
	Banks or Financial Institutions	P
	Sales Oriented Use (no outdoor operations)	P
	Veterinarian/ Kennel, Indoor	P
Office	Medical Office, Individual	P
Healthcare	Medical Clinic	P

Proposed Conditions

2. **Single-family** shall follow the architectural guidelines below:

Proposed Materials	Single-Family Design Guidelines
Cementitious lap siding	Dwelling units shall have a minimum of 1,350 heated square feet
Board and batten siding	Vinyl siding is not permitted
Shake and shingle siding	Garage doors of front-loaded townhomes shall have windows
Wood siding	No attached home located adjacent or across the street shall have the same elevation and color combination. A mix of 2 story and 3 story dwelling units shall be built along Street A. A mixture of 2 and 3 story dwelling units shall be built along the 2 active open space areas south of the collector street.
Stone or synthetic stone	Where a building consists of 5 or more townhome units, there shall be a minimum of 2 front facade off-sets along the length of the building that are each a minimum of 2' in difference.
Brick	Dwelling units shall have articulation in the side elevations, including two of the following: side entry, windows (two or more), 18" brick or stone water table partial masonry, two types of finishes (i.e. horizontal siding with board and batten or shakes in gables).
Stucco	A minimum of two of the following exterior materials will be applied to the front façade: brick, masonry, board and batten, horizontal, or shake siding. Alternatively, the front façade of a building may be comprised of all masonry.
Vinyl (windows, shutters , trim - inside and outside corners, and decorative elements)	

Proposed Conditions

2. **Single-family** shall follow the architectural guidelines below:

Single-Family Design Guidelines (cont.)

Dwelling unit main roofs shall utilize the following: dormer, shed roof, reverse gable, hip roof, change in roof-line direction or height, horizontal or vertical shift in roof plane.

Townhome first floors to have min 12" separation from grade. Exposed foundation is to be clad either in masonry or stone veneer at front elevations and side elevations visible from public way. Two-Dwelling Unit home style units shall allow for flush entry.

Street Facing Doors shall include a covered front stoop or recessed entry door, and must include 1 of the following: sidelights, transom windows, craftsman style paneling, glazing in door.

Street facing garage doors shall have windows and include one of the following: carriage style paneling, craftsman hardware, decorative light fixtures above or flanking the door, awning, decorative trellis or decorative lintel.

50% of units shall have at least a two-car garage.

A minimum 25% of the units that front the active open space areas south of the collector road shall have a minimum 60 sf covered front porch, or patio in lieu of covered front stoop.

A minimum 10% of the units adjacent to Street A shall have a minimum 60 sf covered front or corner porch, or patio in lieu of covered front stoop.

Proposed Conditions

3. Multifamily buildings shall follow the architectural guidelines below:

Proposed Materials	Multifamily Residential Design Guidelines
Cementitious siding	Vinyl siding is not permitted.
Board and batten siding	Siding shall vary in color.
Brick	Masonry components shall be a minimum of thirty percent (30%) per building.
Stone	Other accessory buildings may only have a masonry wainscot.
Shake siding	Multifamily dwelling units shall have either masonry embellishment or 1x4 casing on all windows.
Prohibited Materials	Multifamily dwelling units shall have slab on grade foundations with masonry covering any exposed slab.
	Multifamily dwelling units shall have offsets on the plane of each facade so as not to allow continuous runs over 24' with a minimum of 1' of depth.
Vinyl Siding	Multifamily dwelling units shall have fenestration or openings along each floor with no runs of continuous siding over 20'.
	All buildings shall have interior corridors and elevators.
	All projecting eaves/rakes shall have a minimum 8" depth on all sides.
	Multifamily dwelling unit buildings will be 4-5 story structures with basements allowed.
	Multifamily buildings that front collector streets are to provide street level activation through the inclusion of porches, stoops, and/or covered pedestrian entry points.

Proposed Conditions

4. Non- Residential buildings shall follow the architectural guidelines below:

Proposed Materials
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
EIFS or synthetic stucco shall not be used in the first four feet above grade
Precast concrete
Soffit/fascia materials to be considered include EIFS with crown trim elements
Cementitious siding
Rear elevations of buildings may incorporate decorative concrete masonry, metal coping, or EIFS trim

Non-residential Design Guidelines
Architectural treatments such as varying roof forms, façade articulation, breaks in roofs, walls with texture materials and ornamental details shall be incorporated to add visual interest.
Large expanses of blank walls, greater than 25' in length or height, shall be broken up with windows or other architectural features to reduce visual impacts.
Roof features may include flat roofs with parapet, hip roofs or awnings with metal or canvas material.
Windows and storefront glazing shall be divided to be either square or vertical in proportion so that each section is taller than it is wide

Proposed Conditions

5. If a parking garage is provided it shall follow the architectural guidelines below:

Proposed Materials
Concrete
Masonry
Brick
Stone (cultured stone or veneer)
Metal
Prohibited Materials
Vinyl siding

Parking Garage Design Guidelines
Parking structure shall consist of a maximum of 5 levels or 60' in height
The facade of the structure shall be wrapped with multi-family units on at least 2 sides
Ground level is to be screened using landscape and/or combination of landscape and fencing or screen wall.
Horizontal planes will be broken up through variation in color and texture. This may include integrated color, textures, use of screening materials like trellis and ornamental metal panels.
Vertical circulation elements will be articulated to provide variation in the building mass.
Within 100ft from adjacent property line, those areas of structure are to be treated to mitigate visual impact from adjacent residential uses.
Entry points and vertical circulation elements to be articulated to provide wayfinding
All lights shall be dark-sky compliant

Proposed Conditions

Other Multi-family Conditions:

6. Internal bike parking storage room(s) will be provided at a rate of 1 space per 10 bedrooms.
7. Four (4) EV charging spaces shall be provided, and single-story garage structures shall be provided with conduit and through wall connections for future EV installations. 2 EV charging Stations shall be installed prior to issuance of a 25th Certificate of Occupancy. The 2nd pair shall be installed prior to the 400th Certificate of Occupancy
8. Multifamily amenities shall include:
 - i. A minimum 1,500 sf clubhouse
 - ii. A minimum 1,000 sf swimming pool
 - iii. A minimum 500 sf dog park

Proposed Conditions

Single-Family Conditions

9. The restrictive covenants will require that waste receptacles are screened from view.
10. Townhome amenity area shall include:
 - i. A minimum 200 sf shade structure
 - ii. A minimum 1,500 sf dog park

Other Non-residential Conditions:

11. Two (2) EV charging spaces shall be provided. EV Stations shall be provided prior to issuance of a Certificate of Occupancy that exceeds 15,000 sf of commercial space.

Proposed Conditions

Other Project Wide Conditions:

12. Development shall include min 1,500 sf co-working space. This may be located in multifamily development or commercial area.
13. All site lighting for parking and private internal drives shall be installed on round, black poles at a height no greater than twenty-five feet (25') above the ground.
14. Fences facing or backing up to common open spaces or surrounding stormwater ponds shall be powder-coated aluminum picket type or vinyl fencing. Wood fencing shall not be permitted in the development.
15. A 50' perimeter buffer shall be provided along adjacent properties with residential/single family uses along E. Garner Road identified by PINs 1711910952, 1711818993, 1711828026, and 1711826180.

Proposed Conditions

Other Project Wide Conditions (cont.):

16. The developer shall construct a paved multi-use path to be extended to Garner Recreational Parking Lot or to the existing bridge at the existing trailhead. Location to be coordinated with Parks and Recreation Staff at time of Site Plan Approval.
17. The developer shall dedicate a variable width greenway easement to the north of the proposed major collector road to the Town of Garner to encompass existing natural trails (not to exceed 100') for future extension. Alternatively, some or all of this area may be subdivided to be owned by the Town of Garner to support park land conversion.
18. A 30' access easement shall be provided from the Major Collector Public Right-of-Way to the Yeargan Park boundary. Location to be coordinated with Parks and Recreation Staff at time of Site Plan Approval.

Proposed Conditions

Transportation Conditions:

19. Provide 15' wide (measured at back of curb) divided median to be provided at to be provided at the entrance drive located at E. Garner Rd to obstruct left turn movements for min 150'. This median shall be maintained through a maintenance agreement with the Town of Garner.
20. Street trees along Major Collector Street shall be planted within the public right-of-way. The developer will enter into a perpetual maintenance agreement with the Town of Garner. The agreement shall be transferable to the Townhome HOA, multi-family, and retail owners.

Proposed Conditions

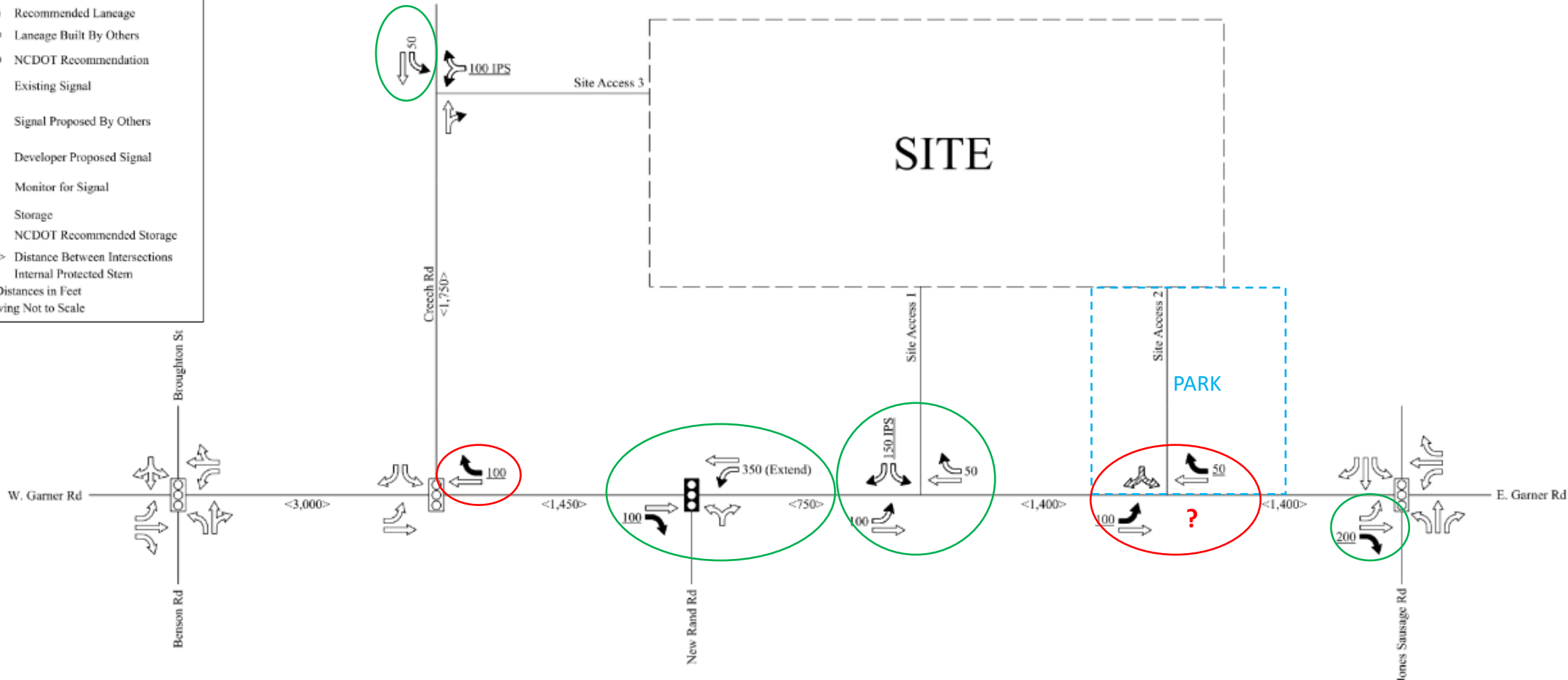
Affordable Housing Condition:

21. A minimum of five percent (5%) of multifamily units constructed with the development shall be provided as Affordable Housing units (the "Affordable Housing Units").
The Affordable Housing Units shall be made available for rental such that at least 2% of the Affordable Housing Units shall have rents which are affordable for households earning 80% AMI, and 3% of the Affordable Housing Units shall have rents which are affordable for households earning 100% AMI; based on their household size, of the U.S. Department of Housing and Urban Development (HUD) Area Median Income (AMI) as stipulated by the most recently published North Carolina Housing Finance Agency (NCHFA) Low-Income Housing Tax Credit (LIHTC) Multifamily Tax Subsidy Program (MTSP) income and rent limits for the Raleigh, NC MSA area, as defined by the U.S. Department of HUD and updated annually. The remainder of the Affordable Housing Units shall have rents which are affordable for households earning 100% of AMI.
The Affordable Housing Units shall be restricted for an affordability period of thirty years starting from the date of issuance of the first multifamily residential Certificate of Occupancy (the "Affordable Period") for the development. Following completion of the Affordable Period, this Affordable Housing condition shall expire, the property owner shall be relieved of all obligations set forth in this Affordable Housing condition, and the Affordable Housing Units may be freely marketed and leased at market-rate rents.

Traffic Impact Analysis Results

East Garner Road Assemblage
Garner, Wake County
SC-2022-205

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



Master Plan General Information

Area: 96.73 +/- acres total

- 350 max. townhomes
- 600 max. apartment units
- Commercial: 35,000 sq ft max

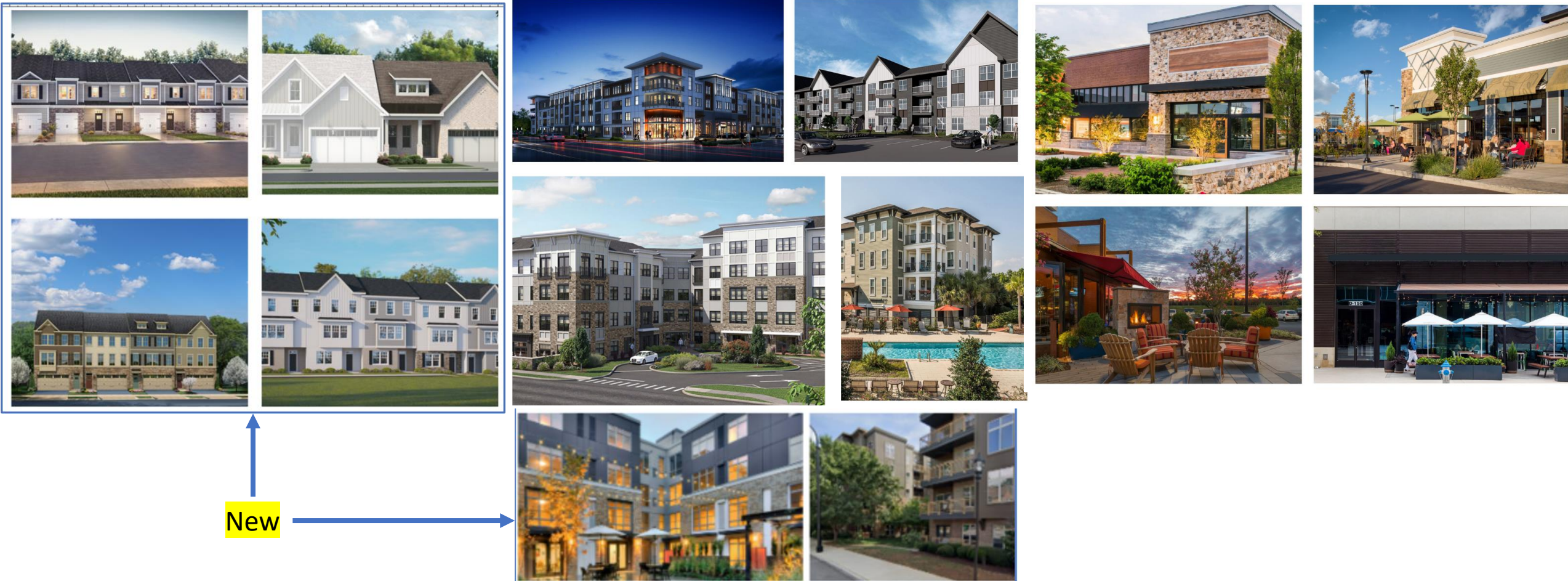
The Park at Garner Station > Land Use & Percentages

Land Use	Maximum Percentage
Townhomes	40%
Commercial, Office & Retail	15%
Multi-Family	24%
Open Space	34%

Project Master Plan



Precedent Building Elevations



New

Planning Commission Meeting #1

- Clarifying: the affordable housing condition, number of SCMs, pedestrian infrastructure being provided, townhome parking provisions, whether or not any buildings are mixed use, process for road improvements near Garner Recreation Park.
- Noting the potential conflicts and challenges of building enough commercial to support downtown rather than compete with existing businesses.
- Inquiring if there are similar projects built by the developer elsewhere in the Triangle, square footage of proposed townhomes and price range of townhomes.
- Questioning when and why the baseball fields were introduced and questioning if baseball fields would be the best facility to build in that location,
- Questioning the road improvements, signal locations, and general traffic concerns related to the project,
- Questioning if the open spaces would truly feel open to all residents of the development due to their location and number of access points,
- Emphasizing the need to use open space to make east-west connections across the site, and the need for detail in the architectural conditions across all building types,
- Asking about the timeframe for build-out.

Planning Commission Meeting #1

Questions and Comments from the Public:

- Noting that the changes to Garner Recreation Park would be moving away from the original intention of the park, which was designed to be half active and half passive recreation spaces,
- Voicing concerns about road safety and traffic,
- Asking if traffic calming can be included on the new thoroughfare proposed with this project.

Action:

The commission voted unanimously to continue the matter to a future meeting at the request of the applicant.

Planning Commission Meeting #2

- Appreciating the green spaces, expanded commercial footprint, reducing density, and other changes since the last PC meeting; the EV chargers but questioning if there could be more; the affordable housing component being increased; the north-south connectivity, adding to the commercial/mixed-use space; better connectivity both within and exterior to the site, and the different styles of townhomes, and porches.
- Clarifying the existing zoning and processes for approving residential units outside of this request, the parkland swap and possible options, a previous misstatement regarding the TIA, the proximity of the front-most commercial building to a widened E. Garner Road, the number of SCMs, future park connections options, which units would have porches, and ground access to townhouse and/or apartment units along the collector - noting the need for cohesiveness between the two on opposite sides of the street.
- Stating a desire for the townhomes to also change on the interior to provide accessibility and livability for a wider range of populations, and for more information on sustainability, HOA responsibilities, and overall management.
- Asking whether or not a revised TIA should exist and what the impacts of the changes are.
- Asking about signalization at the main entrance from E. Garner Road.
- Asking about the commercial orientation and the openings/views for traffic of all kinds - and ways of celebrating that corner/entrance and bringing the pedestrians in and through.
- Questioning whether or not other types of housing had been considered like small-format multifamily or small lot single-family.
- Concern with the townhomes in the back being somewhat isolated.

Planning Commission Meeting #2

Questions and Comments from the Public:

- Concern about the road going through Garner Rec Park and the history of what it took to obtain the LWCF grant for the original creation of the park and its continued stewardship.
- Concern about needing additional lanes on Creech Road to handle traffic in the general vicinity.
- Concern about a project that doesn't respect the history of North Garner.

Action:

The Commission moved to a vote.

Plan Consistency (PC Meeting)

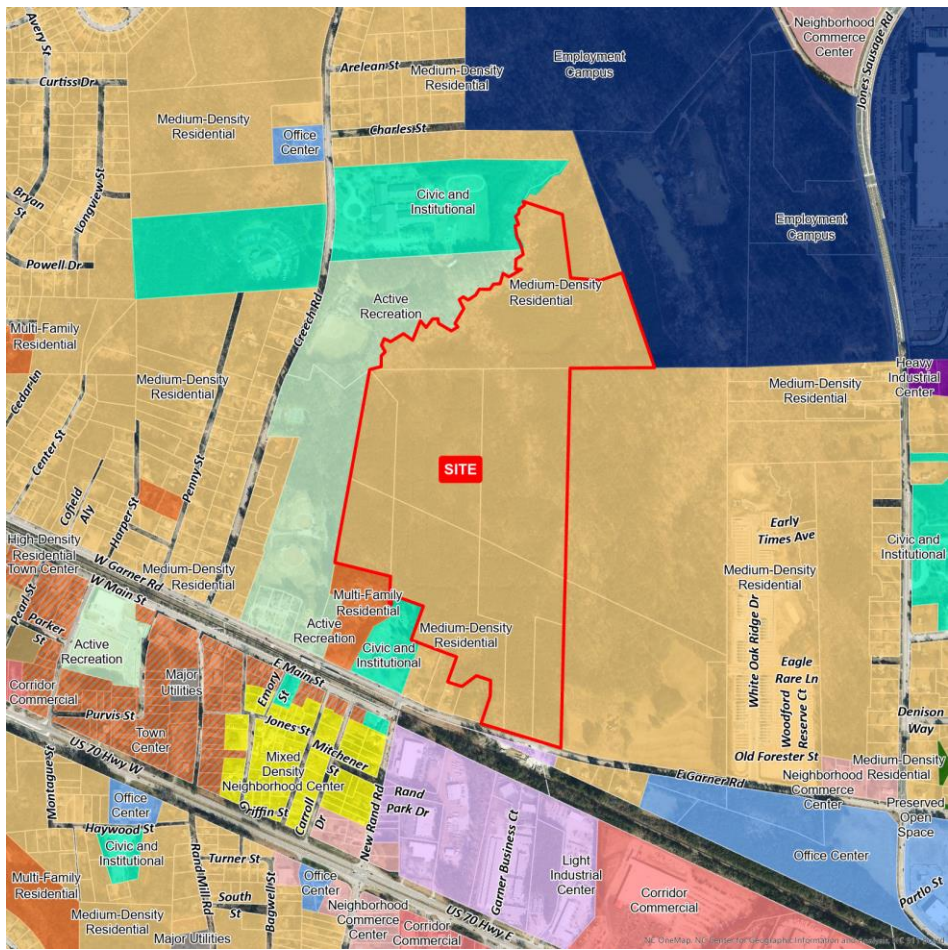
When considering a rezoning request, the Planning Commission is required by state statute to make a written recommendation regarding the consistency of the zoning proposal with the Town's current Comprehensive Plan and other applicable adopted plans. These plans include:

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

Plan Consistency (PC Meeting)

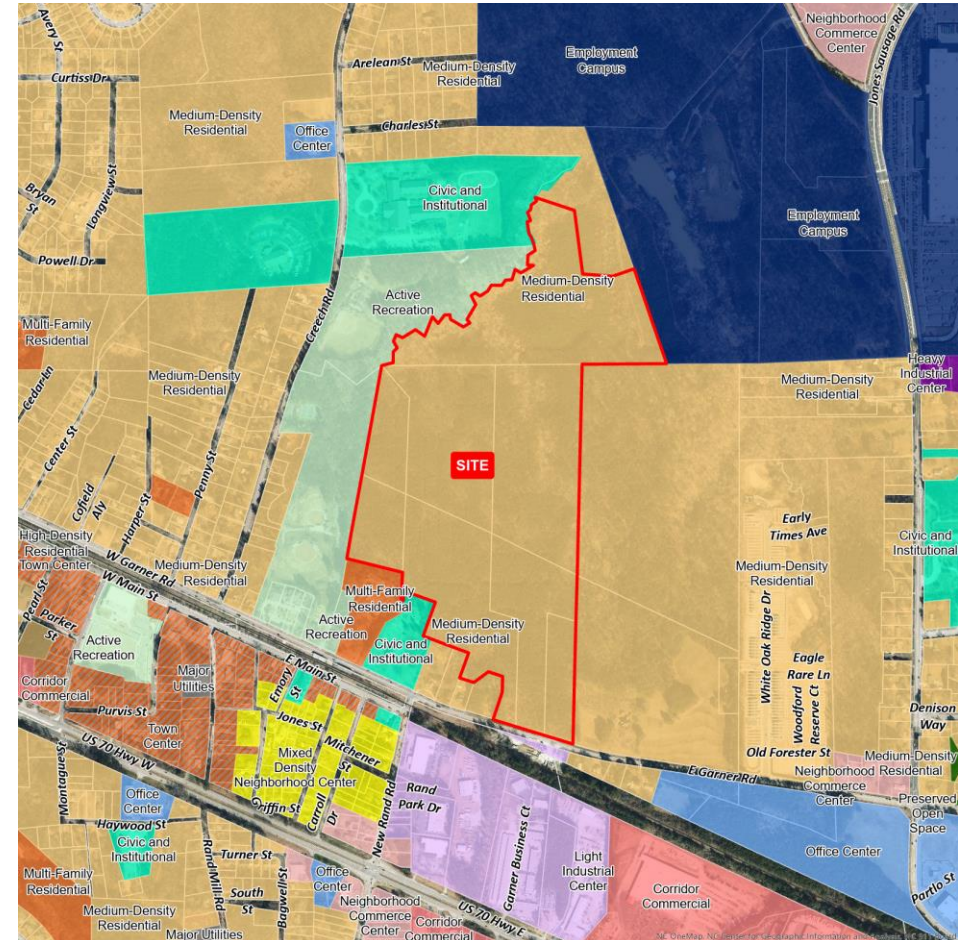
2018 Garner Forward Plan – **INCONSISTENT:**
Site is currently designated as Medium Density Residential [orange].

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



Plan Consistency (PC Meeting)

2018 Garner Forward Plan – At the proposed residential gross densities (max of ~~10.85~~ [now 9.71] du/acre), the master plan is considered inconsistent with the current adopted land use map; and while the applicant has worked to incorporate recreation amenities and neighborhood scale commercial, the master plan does move away from the Medium-Density Residential designation as a general rule.



Consistency with other Plans

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

- The 2018 Garner Transportation Plan shows East Garner Rd to be improved to two lanes divided with a 10-foot multiuse path. This project will have one point of access on East Garner Road, one point of access off Creech Road, and possible future connection to Yeargan Park (pending review and approval by PRCR staff at site/subdivision plan review) and to East Garner Road at New Rand Road. Pavement widening, curb, gutter and sidewalks will also be required along the frontage. With these improvements, this project may be considered consistent with the Transportation Plan.

Consistency with other Plans

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

- This site does not fall within a park land search area identified by the PRGCR Master Plan; but the plan does identify a multiuse path along both Creech Road and E Garner Road. This project includes a 10-foot multiuse path throughout the site, from the Creech Road access, along the primary internal roads, and along the E Garner Rd Frontage. With the proposed inclusion of the multiuse path this project can be considered consistent with the Parks, Recreation, Greenways and Cultural Resources Master Plan.

Consistency with other Plans

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

- **PRCR Advisory Committee:** The Parks, Recreation & Cultural Resources Advisory Committee reviewed The Park at Garner Station development at their December 18, 2023, regular meeting. Representatives from the development team presented the fee-in-lieu option as well as the site plan that shows the parkland dedication of approximately 6.98 acres adjacent to Garner Recreational Park to be used for recreational / ball fields purpose. Based on the need for additional ball fields to meet community needs and consistent with the PRCR Comprehensive Master Plan (Parkland Strategy / Action Item 1.5.1), the Committee voted to recommend accepting land dedication and the remainder as fee-in-lieu.
- Since this meeting, the applicant has engaged in further discussion with town leadership and has removed the baseball fields from the proposal, due to lack of support from the council. The layout has been reworked to include more commercial and promote better connectivity between land uses and an enhanced pedestrian experience.

Planning Commission Final Action

After an initial motion to recommend denial of the project died for lack of a second, and a vote on a second motion to recommend approval where two members abstained, a revote on the second motion was cast.

On a vote of 4-3 (aye - Blasco, Hodges, Jefferson, Voiland; nay – Avent, Carson, Phillips) the Commission voted to accept the draft consistency statement as their own and recommend approval to the Town Council, citing that current zoning regulations for Multi-family A, Residential R4, and Rural Agricultural would allow for even greater densities than what is proposed, and that as a master plan project, it is consistent with the comprehensive land use plan's encouragement of such larger master planned projects.

Consistency Statement

We, the Planning Commission, find that while this request to rezone 96.73 +/- acres from Multifamily 1 (MF-1), Single Family Residential (R-40), and Single Family Residential (R-12) to Planned Unit Development (PD C16) Conditional for a mixed-use development consisting of a maximum of 350 Townhomes, 600 multifamily dwelling units, and 35,000 square feet of commercial space is consistent with some of Garner's land use related plans including the Garner Transportation Plan and Parks Recreation, Greenways, and natural Resources Plan. It is inconsistent with the Future Land Use Map's designation of Medium-Density Residential (MDR) and we further recognize that any approval of this request would trigger a simultaneous approval of an amendment to the Future Land Use Map to designate the area as Mixed-Density Neighborhood Center (MDC).

Reasonableness (TC Action Meeting)

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.

Staff Commentary:

While the request is inconsistent with the land use recommendations of the *Garner Forward Comprehensive Plan*, staff would offer that a reasonable case might be made for supporting the overall request. Possible items for discussion:

1. While the Future Land Use Plan limits the density to no more than five (5) units per acre, the current zoning designations of Multifamily A (MF-A), Residential (R-4), and Rural Agricultural (RA) would allow for up to 1,414 dwelling units (between 14 and 15 du/acre overall). NOTE: projects in phases or singularly of 200 dwelling units or more require an SUP.
2. The choice of a planned district proposal increases the minimum required open space from 10% to 25%.
3. The proposal is consistent with the recommended comprehensive plan practice of favoring master-planned, larger tracts over smaller, greenfield developments to maximize private contributions and amenities; as well as making a step towards supporting workforce housing goals.

Motion Options

<p>3. INCONSISTENT YET REASONABLE</p>	<p>“I move that the Town Council accept the Planning Commission’s written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (<u> cite and insert land use plan evidence </u>); yet, I also move that the Town Council adopt Ordinance No. (2024) _____ approving rezoning CZ-PD-22-04, as the request is still reasonable and in the public interest because it will likely (<u> select all applicable reasonableness options on next page and/or provide your own reasoning </u>).”</p>
<p>4. INCONSISTENT NOR REASONABLE</p>	<p>“I move that the Town Council accept the Planning Commission’s written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section VI of the staff report, and find the request inconsistent due to (<u> cite and insert land use plan evidence </u>); and I further move that the Town Council deny rezoning CZ-PD-22-04, as the request is not reasonable nor in the public interest because it will likely not (<u> select all applicable reasonableness options next page and/or provide your own reasoning </u>).”</p>

Project Master Plan



Project Master Plan

