



July 15, 2019 7:00 PM
Town of Garner Planning Commission Minutes
Town Council Chambers
900 7th Avenue · Garner, North Carolina 27529

I. Call to Order

Mr. Blasco called the regular meeting of the Town of Garner Planning Commission to order at 7:00 p.m. on Monday, July 15, 2019, in the Town Council chambers.

II. Roll Call

The Secretary conducted the roll call.

Members present: John Blasco, Vice-Chairman; Barbara Barat; Ruth Strindberg, Jim Hunnicutt, Vang Moua, and Vira Hogan

Staff in attendance: Mr. Jeff Triezenberg, AICP, GISP, Planning Director; Mr. David Bamford, AICP, Planning Service Manager; Ms. Alison Jones, Planner II; Mrs. Lauren Long, Planner I and Ms. Elisabeth Webster, Planning Technician

III. Invocation

Mr. Hunnicutt gave the invocation.

IV. Election of Officers

Mr. Blasco opened the floor to nominations for the 2019-2020 Planning Commission Board Chairman. Ms. Barat made a motion to nominate Jim Hunnicutt; seconded by Ms. Strindberg. The vote to confirm was unanimous.

Ms. Hogan made a motion to nominate Barbara Barat as Vice-Chairman; seconded by Ms. Strindberg. The vote to confirm was unanimous.

2019-2020 Chairman: Mr. Jim Hunnicutt
2019-2020 Vice-Chairman: Ms. Barbara Barat

V. Minutes

Mr. Blasco recused himself

Regular Meeting June 17, 2019 – Ms. Barat made a motion to approve the minutes of the June 17, 2019 meeting; seconded by Ms. Hogan. The vote to approve was unanimous.

VI. Old/New Business:

A. Conditional Use Rezoning and Site Plan:

- 1. CUD-Z-19-03 Kennedy Ridge Subdivision** – Dan Ryan Builders is requesting a condition use rezoning from Single-Family Residential (R-40) to Multi-Family (MF-1 C216). A companion conditional use subdivision plan accompanies this conditional use rezoning request.

Staff/Commission Discussion: Mr. Bamford presented the staff report. There were no questions/comments regarding the rezoning.

Applicant/Commission Discussion: Mr. Jay Colvin with Dan Ryan Builders, the developer for the site, spoke on behalf the project. There were no questions or comments regarding the rezoning.

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter. Hearing none, Mr. Hunnicutt brought the matter back to the table for additional discussion/motion.

RESULT: Recommended Approval to Town Council [UNANIMOUS]

Motion: Ms. Hogan – to recommend approval of **CUD-Z-19-03**, accepting staff’s statements regarding consistency with the Garner Forward Comprehensive Plan as their own, as detailed in Section V of the staff report.

Second: Ms. Strindberg

VOTE: Aye: Barat, Hogan, Strindberg, Hunnicutt, and Moua

Recused: Blasco

- CUP-SB-19-01 Kennedy Ridge Subdivision** – Dan Ryan Builders is requesting a conditional use subdivision approval for a Single-Family Townhome subdivision containing 64 units. The 16.4-acre site is located at 605 Creech Road and can be further identified as Wake County PIN(s) **1711-76-8003 & 1711-75-1835**.

Staff/Commission Discussion: Mr. Triezenberg presented the staff report. There were questions/discussion regarding the future of the adjacent Ashton Forest Subdivision to the north of the site.

Applicant/Commission Discussion: Mr. Jay Colvin with Dan Ryan Builders, the developer for the site, spoke on behalf of the project. There were questions/discussion regarding the timetable for the project, the price point of the proposed homes and what the anticipated home-owners association fees would be.

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter. Hearing none, Mr. Hunnicutt brought the matter back to the table for additional discussion/motion.

RESULT: Found the Site Plan in Conformity with Town Plans and Policies [UNANIMOUS]

Motion: Ms. Hogan – to confirm staff’s findings, that **CUP-SB-19-01** is in conformity with adopted town plans and policies so long as the conditions outlined in Section VII of the staff report are met.

1. Prior to recordation of the first final plat, a voluntary annexation petition be filed with the Garner Planning Department.
2. Prior to recordation of the first final plat, documents establishing a Homeowner’s Association and restrictive covenants shall be submitted to the Garner Planning Director for review.
3. The developer shall be responsible for all roadway improvements required by NCDOT.
4. A fee in lieu of park land dedication must be paid at the time each building permit is requested.
5. Town of Garner engineering inspection fees must be paid prior to picking up final signed plans from Planning Department.
6. CORPUD fees for water/sewer shall be paid at time of requesting a building permit.

Second: Ms. Barat

VOTE: Aye: Barat, Hunnicutt, Strindberg, Hogan, and Moua

Recused: Blasco

B. Planned Development Rezoning and Master Plan:

1. **PD-Z-19-03 Oak Park West** – Royal Oaks is requesting a planned development rezoning from Single-Family Residential (R-20 & R-40) to Planned Residential Development (PD C8). A planned development master plan accompanies this rezoning request.

Staff/Commission Discussion: Mr. Bamford presented the staff report. There were no questions/discussion regarding the rezoning.

Applicant/Commission Discussion: Mr. Rob Baily, with Royal Oaks, spoke on behalf of the application. There were no questions/discussion regarding the rezoning portion.

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter. Seeing none, Mr. Hunnicutt brought the matter back to the table for additional discussion/motion.

RESULT: Recommended Approval to Town Council [4-1]

Motion: Ms. Barat – to recommend approval of **PD-Z-19-03**, accepting staff’s statements regarding consistency with the Garner Forward Comprehensive Plan as their own, as detailed in Section V of the staff report.

Second: Ms. Hogan

VOTE: Aye: Barat, Hunnicutt, Hogan, and Moua

No: Strindberg

Recused: Blasco

- **PD-MP-19-03 Oak Park West** - Royal Oaks is requesting a planned development master plan approval for a residential development containing 390 Single Family units and 210 town homes. The 189-acre site is located along New Bethel Church Road and can be further identified as Wake County PIN(s). **1619-84-7756, 1619-84-9320, 1619-93-4708, 1619-93-8515, & 1619-81-5817.**

Staff/Commission Discussion: Mr. Triezenberg presented the staff report. There were questions/discussion regarding the Town being responsible for paying for the proposed street lighting.

Applicant/Commission Discussion: Mr. Rob Baily, with Royal Oaks, spoke on behalf of the application. There were questions/discussion regarding the possible addition of 75 more homes, what the proposed price points would be, why no ranch style homes were proposed, if the HOA will limit activity in amenity centers, and why a pool was the only proposed amenity

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter.

Neighbors from Sutton Springs spoke in opposition of the project. They spoke about the need to preserve the vacant land in Garner, the uniqueness of Garner having lots with a little land compared, and the potential increase in traffic subsequent safety issues.

Mr. Hunnicutt brought the matter back to the table for additional discussion/motion.

RESULT: Found the Site Plan in Conformity with Town Plans and Policies [3-2]

Motion: Mr. Hunnicutt – to confirm staff’s findings, that **PD-MP-19-03** is in conformity with adopted town plans and policies as outlined in

Section VII of the staff report so long as the following conditions are met:

1. Prior to recordation of the first final plat, a voluntary annexation petition for the for the entire project site shall be filed with the Garner Planning Department;
2. Prior to recordation of the first final plat, documents establishing a Homeowner's Association and restrictive covenants shall be submitted to the Garner Planning Director for review;
3. The developer shall be responsible for all roadway improvements required by NCDOT;
4. Prior to preliminary plat approval, a lighting plan shall be approved by the Technical Review Committee;
5. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
6. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department;
7. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank; and
8. Prior to the issuance of each building permit, any outstanding fee-in-lieu of park land dedication following dedication of the public greenway easements shall be paid to the Town of Garner.

Second: Ms. Hogan

VOTE: **Aye: Hunnicutt, Hogan, and Moua**
No: Barat and Strindberg

Recused: Blasco

C. Special Use/Conditional Use Site Plan

1. **SUP-18-05 Holiday Inn** – ANH Hospitality, LLC is requesting a special use site plan approval for a Holiday Inn Express hotel. The site is located at 312 US HWY 70 E and can be further identified as Wake County PIN **1710-99-1886**.

Staff/Commission Discussion: Ms. Jones presented the staff report. There were questions/discussion on the proposed road improvements and the safety of the proposed sidewalk.

Applicant/Commission Discussion: Mr. Harold Yelle, the site designer, spoke on behalf of the project. There were questions/discussion on if the proposed hotel was the same hotel that had previously come before the Commission, if a fee-in-lieu could be arranged instead of the proposed sidewalk, if the parking layout could be re arranged to re-locate some of the parking spots closest to US 70, the proposed future stub out connection and why the building was not facing US 70.

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter. Hearing none, Mr. Hunnicutt brought the matter back to the table for additional discussion/motion. Mr. Blasco asked staff to consider fee-in-leu for sidewalk to be a condition of final approval.

RESULT: Found the Site Plan in Conformity with Town Plans and Policies [UNANIMOUS]

Motion: Mr. Blasco – confirm staff’s findings in Section IV of the staff report, that **SUP-SP-18-05**, Holiday Inn, is in conformity with adopted town plans and policies so long as the four (4) project specific conditions are met:

1. Prior to the issuance of the first building permit a lighting plan must be approved by Town staff;
2. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
3. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department; and
4. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank.

Second: Ms. Barat

VOTE: Aye: Barat, Hunnicutt, Strindberg, Hogan, Blasco and Moua

2. **CUP-SP-19-03 Tarheel Paper** – TMTLA Associates is requesting a conditional use site plan approval for a one-story warehouse. The site is located at 140 Spaceway Court and can be further identified as Wake County PIN **1730-31-9476**.

Staff/Commission Discussion: Mrs. Lauren Long presented the staff report. There were questions/discussion regarding if a neighborhood meeting had taken place prior to the plan coming before Planning Commission and if trucks would be coming on site.

Applicant/Commission Discussion: Ms. Pam Porter, with TMTLA Associates, spoke on behalf of the project. There were questions/discussion regarding the proposed location of the docks at the front of the site versus in the rear, if it was possible to switch the layout to have the bay at the rear of the site, how high the retaining wall was surrounding the retention pond, and if *Ligustrum japonicum* ‘Texanum’ could be replaced with a non-invasive species.

Mr. Hunnicutt asked if there were any proponents or opponents wanting to speak on this matter. Seeing none, Mr. Hunnicutt brought the matter back to the table for additional discussion/motion. Mr. Blasco asked that fee-in-leu for side walk be a condition of approval.

RESULT: Found the Site Plan in Conformity with Town Plans and Policies [UNANIMOUS]

Motion: Ms. Barat – to confirm staff’s findings in Section IV of the staff report, that **CUP-SP-19-03**, is in conformity with applicable adopted town plans and policies so long as the three (3) project specific conditions are met:

1. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
2. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department; and
3. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank.

Second: Ms. Hogan

VOTE: Aye: Barat, Hunnicutt, Strindberg, Hogan, Blasco and Moua

VII. Reports

A. Planning Director

Mr. Triezenberg updated the Planning Commission on items that had been approved/denied by Town Council since the last Planning Commission Meeting. Approved plans include **SUP-SP-19-02**, CCAC Building Solutions and **CUP-SP-19-04**, Pullen Construction. The general rezoning case, **Z-19-03**, East Garner Road, was tabled until a future meeting.

Mr. Triezenberg asked for a 3-person subcommittee to help finish the update of the Rules of Procedure. Ms. Strindberg, Mr. Hunnicutt, and Mr. Moua volunteered.

There were comments/discussion on what constitutes affordable housing prices and pushing for sidewalks on both sides of the street for new development.

B. Planning Commission

No Report.

VIII. Adjournment

Having no further matters to discuss, the meeting was adjourned at 10:01 PM.