



**January 22, 2020 7:00 PM**  
**Town of Garner Planning Commission Minutes**  
**Town Council Chambers**  
**900 7th Avenue · Garner, North Carolina 27529**

**I. Call to Order**

Ms. Barat called the regular meeting of the Town of Garner Planning Commission to order at 7:00 p.m. on Wednesday, January 22, 2020 in the Town Council chambers.

**II. Roll Call**

The Secretary conducted the roll call.

Members present: Ruth Strindberg, Jon Blasco, Barbara Barat, Vice-Chair; Dean Fox, Vira Hogan

Staff in attendance: Mr. Jeff Triezenberg, AICP, GISP, Planning Director; Mr. David Bamford, AICP, Planning Services Manager; Ms. Stacy Harper, Principal Planner; Mr. Reginald Bouie, Senior Planner; Ms. Gabriela Lontos-Lawlor, Transportation Planner and Ms. Elisabeth Webster, Planning Technician

**III. Invocation**

Mr. Fox gave the invocation.

**IV. Minutes**

**Regular Meeting Minutes November 18, 2019** – Ms. Hogan made a motion to approve the minutes of the November 18, 2019 meeting as amended by Mr. Fox and Ms. Barat; seconded by Mr. Fox. The vote to approve was unanimous.

\*Mr. Blasco was not present at the November meeting and abstained from the vote\*

**Regular Meeting Minutes December 16, 2019** – Mr. Blasco made a motion to approve the minutes of the December 16, 2019 meeting as amended by Ms. Barat; seconded by Ms. Strindberg. The vote to approve was unanimous.

**V. Old/New Business:**

**A. Conditional Use Rezoning and Conditional Use Subdivision Request:**

**CUD-Z-19-12 New Rand Road** – Capital Partners LLC is requesting a conditional use rezoning from Residential 15 (R-15) to Residential 9 Conditional Use (R-9 C225). A companion conditional use subdivision plan accompanies this conditional use rezoning request.

**Staff/Commission Discussion:** Mr. Bamford presented the staff report. There were questions/discussion regarding if there were any proposed sidewalks with the project and driveway access among neighboring property owners.

**Applicant/Commission Discussion:** Michael Nedriga with Capital Partners spoke on behalf of the project. There were questions/discussion regarding the driveway access agreement and if there were any other concerns at the neighborhood meeting.

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

**RESULT: Recommend Approval to Town Council [UNANIMOUS]**

**Motion: Mr. Blasco**– I move that the Planning Commission accepts staffs’ statements regarding zoning consistency with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommend approval of CUD-Z-19-12 699 New Rand Rd to Town Council.

**Second: Mr. Fox**

**VOTE: Aye: Blasco, Barat, Fox, Hogan, and Strindberg**

- **CUP-SB-19-05 New Rand Road** – Capital Partners LLC is requesting a conditional use subdivision approval for a 3-lot single-family subdivision. The site is located at 699 New Rand Road south of Preakness Farm Drive and can be further identified as Wake County PIN **1710879071**.

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

**Applicant/Commission Discussion:** Michael Nedriga with Capital Partners spoke on behalf of the project. There were no questions/discussion regarding the site plan.

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

**RESULT: Recommend Approval to Town Council [UNANIMOUS]**

**Motion: Ms. Strindberg**– I move that the Planning Commission confirm staffs’ findings in Section V of this report, that **CUP-SB-19-05 699 New Rand Rd** is in conformity with adopted town plans and policies so long as the following conditions are met:

1. 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
2. Prior to the issuance of each building permit, a fee-in-lieu of park land dedication shall be paid to the Town of Garner.

**Second: Mr. Blasco**

**VOTE: Aye: Blasco, Barat, Strindberg, Hogan, and Fox**

#### **B. Conditional Use Rezoning and Conditional Use Site Plan Request:**

**CUD-Z-19-06 Eastern Wake Innovation Park** – Trustwell Property Group is requesting a conditional use rezoning from Single-Family Residential (R-20), Light Industrial (I-1), and Heavy Industrial (I-2 C-173) Conditional Use to Community Retail (CR C-219) Conditional Use. A companion conditional use site plan accompanies this conditional use rezoning request.

**Staff/Commission Discussion:** Mr. Bamford presented the staff report. There were questions/discussion regarding why there was a five percent condition placed on retail sales orientated uses, what the previous re-zoning and development plan was for the property, if there were any significant changes incorporated for the current rezoning, why Community Retail Conditional Use was chosen when it appears to be mostly office use, why choose the OFC designation on the Future Land Use Map if it’s going to be Community Retail zoning, the significant limit on retail and food service seems too prohibitive, is upper story residential applicable, and the large number of parking spaces.

**Applicant/Commission Discussion:** John Keener with Trustwell Property Group spoke on behalf the project. There were questions/discussion regarding excessive parking, options of parking deck, and the project being market drive.

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

**RESULT: Recommend Approval to Town Council [UNANIMOUS]**

**Motion: Mr. Fox**– I move that the Planning Commission accept the staff statements regarding zoning consistency with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommend approval of **CUD-Z-19-06 Eastern Wake Innovation Park** to the Town Council along with a simultaneous amendment to the Future Land Use Map designating the site from Light Industrial Center (LIC) to Office Center (OFC).

**Amendment:** Mr. Blasco requested the motion to include an increase in the percentage for allowed retail and food service from 5% to 15%. Mr. Fox accepted the amendment.

**Second: Mr. Blasco**

**VOTE: Aye: Blasco, Barat, Fox, Hogan, and Strindberg**

- **CUP- SP-19-13 Eastern Wake Innovation Park** – Trustwell Property Group is requesting a conditional use site plan approval for Retail Sales and Service development. The site is located at the SW corner of E. Garner and Jones Sausage roads and can be further identified as Wake County PIN(s) **1721-01-5390, 1721-01-4200, 17211-11-2105, 1721-10-4884**.

**Staff/Commission Discussion:** Ms. Harper presented the staff report. There were questions/discussion regarding the Jones Sausage Rd Realignment Study that was supposed to be presented to Commission that would affect the proposed project, when the study is anticipated to be complete, why the applicant didn't want to wait until the study was complete, what is the correlation between the traffic studies that are done and what actually happens, and the close proximity of the two driveways proposed on E Garner Rd.

**Applicant/Commission Discussion:** John Keener with Trustwell Property Group, Josh Reinke with Ramey Kemp & Associates, and Mike Tarrant with Stewart Engineering spoke on behalf of the project. There were questions/discussion regarding the large parking lot, if a parking deck was considered, how the Town's parking requirements aligned with the developers parking requirements, concern that there is no construction easements shown on the plans, possible bridge to lift Jones Sausage Rd over the railroad located near the proposed site, possible loss of parking with the Jones Sausage Rd. realignment, if it was possible to wait until the Jones Sausage Rd realignment study was completed, if the developer would start with a different phase or wait until after the Jones Sausage Rd project was completed, why the developer chose not go ahead and put in the asphalt in from the proposed driveway 3 and E Garner Rd, the double driveway location coming on and off E Garner Rd., lack of pedestrian crossing, how the middle school traffic will play into the traffic for the proposed project, the number of U-turns at the right-in right-out drive, if a concrete median will be installed on East Garner, anticipated time frame for whole project, had

there been any talk about green infrastructure, if storm water treatments were considered for some of the parking islands, concern for heat island effect caused by the massive amount of asphalt, parking lot lighting potential to effect nearby residential, whether the side path along Jones Sausage Rd from the transportation plan will be included in the fee in lieu calculations, signal timing, and school coordination during peak times.

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

There was additional discussion on the percentage for retail and food services, if the parking between the phases was shared, if the proposed parking will be built out regardless of tenants needs, if a coworking space had been considered for one of the spaces, if the tenants were known, if the limit on retail and food service was developer driven, the large number of parking spaces, concern over Jones Sausage Rd. realignment, trees, and soil issues.

**RESULT: Recommend Approval to Town Council [4-1]**

**Motion: Ms. Hogan** – I move that the Planning Commission confirm staff’s findings in Section VII, that **CUP-SP-19-13 East Wake Innovation Park**, is in conformity with adopted town plans and policies so long as the following conditions are met:

1. Prior to obtaining a building permit, a recombination plat must be filed and recorded; and
2. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner; and
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. Construction Drawing submittal to the Engineering Department and City of Raleigh Public Utilities will be required following site plan approval; and
5. A cost estimate for the road frontage improvements for which a fee-in-lieu will be provided must be reviewed and approved by the Town prior to construction drawing approval; and
6. A detailed downstream sewer analysis must be completed and approved during construction plan review; and

7. 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. The developer shall be responsible for all roadway improvements required by NCDOT.

**Second: Ms. Strindberg**

**VOTE: Aye: Barat, Strindberg, Hogan, and Fox**

**Nay: Blasco**

## **VI. Reports**

### **A. Planning Director**

Mr. Triezenberg updated the Commission on projects that have been approved since the last meeting, including KS Bank and Elevate at White Oak. Mr. Triezenberg informed the Commission about upcoming stake holder meetings for the UDO rewrite.

Ms. Lontos-Lawlor updated the Commission on the Jones Sausage Realignment Study and the Garner Transit Study.

### **B. Planning Commission**

Ms. Barat asked if it was possible to move the Planning Commission Meeting to the following Monday when the meeting falls on a holiday. There were questions/discussion regarding the Rhora Subdivision tree clearing and burning.

## **VII. Adjournment**

Having no further matters to discuss, the meeting was adjourned at 9:26 PM.