



**May 10, 2021 7:00 PM**  
**Town of Garner Planning Commission Minutes**  
**Virtual Meeting**

The Planning Commission meeting was conducted remotely (pursuant to Session Law 2020-3). The meeting video is available on Facebook Live at [facebook.com/TownofGarner/](https://www.facebook.com/TownofGarner/)

**I. Call to Order**

Mr. Blasco called the regular meeting of the Town of Garner Planning Commission to order at 7:02 p.m. on Monday, May 10, 2021.

**II. Roll Call**

The Secretary conducted the roll call for the virtual meeting.

Members present: Jon Blasco, Chairman; Vang Moua, Vice Chairman; Gina Avent (virtually present); Vira Hogan (virtually present), Phillip Jefferson (virtually present), and Michael Voiland.

Staff in attendance: Mr. Jeff Triezenberg, Planning Director; Mr. John Hodges, Assistant Town Manager; Ms. Stacy Griffin, Principal Planner; Mr. David Bamford, Planning Services Manager; Mr. Reginald Buie, Senior Planner – Zoning; Ms. Gaby Lontos-Lawler, Senior Planner - Transportation; Ms. Alison Jones, Planner II; Ms. Leah Harrison, Assistant Town Engineer; Ms. Terri Jones, Town Attorney; and Mr. Brian Godfrey, Planning Technician.

**III. Invocation**

Mr. Moua gave the invocation.

**IV. Minutes**

**Regular Meeting Minutes February 8, 2021** – Mr. Voiland made a motion to approve the presented minutes of the February 8 meeting. The motion was seconded by Ms. Hogan. The vote to approve was unanimous.

**V. Old/New Business:**

Mr. Blasco moved to reorder business to first hear case CZ-21-02 Rosemoor by general consent.

**A. Conditional District Rezoning Request:**

**CZ-21-02 Rosemoor** – Margaret & Dan Williford are requesting rezoning for 25 vacant lots in the existing Rosemoor Subdivision (17.13 +/- acres) from Conditional Single-Family (R-20 C129) to Conditional Single-Family (R-20 C241). The properties are located in the Rosemoor Subdivision off of Buffalo Road and can be identified as Wake County PIN(s) **1710-10-7721, 1710-10-7966, 1710-10-4765, 1710-10-4392, 1710-10-4187, 1710-10-4074, 1619-19-4758, 1619-19-4541, 1619-19-4245, 1619-19-4142, 1619-18-4949, 1619-18-4743, 1619-18-7673, 1619-18-7801, 1619-18-7904, 1619-19-7007, 1619-19-7303, 1619-19-6496, 1619-19-7509, 1619-19-7703, 1619-19-7826, 1710-10-7156, 1710-20-0517, 1710-10-9881, and 1710-10-8757.**

**Staff/Commission Discussion:** Mr. Bamford presented the staff report for the rezoning request. Ms. Hogan asked for clarification on making a motion since two options of approval were presented.

**Applicant/Commission Discussion:** Mr. Keith Roberts, of Timmons Group, spoke on behalf of the project. Mr. Jefferson asked for clarification on the proposed zoning condition changes and whether the Commission would be approving an increase in the required size of garages. Mr. Blasco asked the applicant whether they preferred Option A or Option B for approval.

Mr. Blasco asked if there were any proponents or opponents wanting to speak on the matter. Hearing none, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion. Mr. Voiland noted the applicant's preference for Option A. Mr. Jefferson commented that both options seemed comparable and do not have negative impacts.

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

**Motion: Ms. Hogan** – I move that the Planning Commission accept the Consistency Statement of Option A, detailed in Section V of this report, as their own written recommendation regarding the consistency of the request with the Town's adopted land use plans and recommend approval of CZ-21-02 to the Town Council.

**Second: Mr. Voiland**

**VOTE: Aye: Avent, Blasco, Hogan, Moua, Jefferson, Voiland**

## **B. Conditional District Rezoning with Subdivision Plan Request:**

**CZ-SB-20-05 White Oak Ridge** – Core Properties is requesting rezoning for approximately 24.79 +/- acres from Community Retail (CR), Service Business (SB) to Community Retail Conditional District 232 (CR 232) with accompanying commercial subdivision plan. The 24.79-acre site is located at the intersection of Jones Sausage Rd./White Oak Rd./ and can be further identified as Wake County PIN(s) **1720-19-2143, 1720-19-3067, 1720-19-3067, 1720-19-4093, 1720-18-4732**, and a portion of **1720-27-1132**.

**Staff/Commission Discussion:** Mr. Bamford presented the staff report for the rezoning request. Ms. Lontos-Lawler presented the transportation portion of the staff report. Ms. Griffin presented the subdivision plan proposal portion of the staff report. Mr. Voiland asked for clarification on the date of the case's public hearing before Council on April 20<sup>th</sup>. Mr. Voiland asked whether the tenants of the existing buildings were aware of the plans to demolish and redevelop. Ms. Avent asked whether there was an anticipated difference in timelines for the Jones Sausage Road extension and the construction and completion of the proposed White Oak Ridge project. Ms. Avent commented that she wondered what kinds of traffic impacts the development could have without the completed Jones Sausage extension in place. Mr. Blasco asked about the planned US HWY 70 greenway/multi-use path being created on the south side of the highway. Mr. Blasco asked whether staff was comfortable with the proposed right-turn-only being located so close to Jones Sausage Road. Mr. Blasco asked whether it would be possible to include sidewalks on both sides of the proposed development's private streets. Mr. Blasco asked whether street trees were required, and whether they would be installed at the beginning of the entire development or at the beginning of each individual site plan.

**Applicant/Commission Discussion:** Mr. Rich Barta, of Core Properties, spoke on behalf of the project. Mr. Voiland asked whether the applicants planned to have separate phases of development for the site. Mr. Moua commented that the project seemed like a good proposal, especially since it allowed connectivity and community retail. Mr. Jefferson commented that he was glad to see stormwater protection.

Mr. Blasco asked if there were any proponents or opponents wanting to speak on the matter. Hearing none, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion.

**RESULT: Recommend to Town Council for Adoption [UNANIMOUS]**

**Motion: Ms. Hogan** – I move that the Planning Commission accept the Consistency Statement detailed in Section VI of this report, as their own written recommendation regarding the consistency of the request with the Town’s adopted land use plans and recommend approval of CZ-SB-20-05 to the Town Council.

**Second: Mr. Voiland**

**VOTE: Aye: Avent, Blasco, Hogan, Jefferson, Moua, Voiland**

Mr. Blasco stated for the record that it was understood that private streets are still supposed to be held to public standards, and that he strongly encouraged sidewalks to be installed on both sides of the development’s private street, regardless of requirements.

### **C. Conditional District Rezoning with Subdivision and Site Plan Request:**

**CZ-SB/SP-20-10 Raynor Meadows** – W&M Partners, LLC is requesting rezoning for approximately 20.06 +/- acres from Community Retail (CR) to Conditional Multi-Family 2 (MF-2 C235) with accompanying subdivision and site plan for a multi-family development. The 20.06-acre site is located at the intersection of US HWY 70 and Yeargan Rd. and can be further identified as Wake County PIN(s) **1711-05-1809** and a portion of **1710-96-4018**.

**Staff/Commission Discussion:** Mr. Bamford presented the staff report for the rezoning request. Ms. Lontos-Lawler presented the transportation portion of the staff report. Ms. Jones presented the subdivision and site plan proposal portions of the staff report. Mr. Blasco asked about the proposed pedestrian infrastructure along US HWY 70 being a sidewalk or a greenway/multi-use path. Mr. Moua expressed concern over the right-in, right-out at US HWY 70. Mr. Moua observed that pedestrian-residents would have a difficult time crossing US HWY 70 and asked whether there had been consideration for pedestrian connections to commercial areas across the highway. Ms. Avent referenced the public hearing notes and asked about neighboring Mr. Alexander’s concerns with Neuse River Buffers. Ms. Avent asked whether it was possible to extend sidewalks to the nearby Walgreens. Mr. Jefferson asked whether the total number of parking spaces was yet to be finalized. Mr. Jefferson asked whether staff felt that this rezoning would have a significant impact on Yeargan Road’s traffic. Mr. Blasco asked that *Ligustrum* be struck from the planting list since it is considered an invasive species. Mr. Blasco expressed concern over a Multifamily

development in a commercial and industrial area and asked for additional explanation from staff.

**Applicant/Commission Discussion:** Mr. Bart McClain, of William G. Daniel and Associates, spoke on behalf of the project. Mr. Voiland asked about the wetland delineation in the middle of the site and what this meant for the project. Mr. Jefferson referenced the public hearing notes and asked about neighboring Mr. Ward's concerns about retention ponds behind his property. Mr. Jefferson asked whether the applicant thought there was any potential for impact from the retention ponds. Mr. Jefferson asked for confirmation that there was only one proposed open space area on the eastern side of the site. Mr. Jefferson expressed concern about the amount of hardscape and the associated lack of planted areas. Mr. Blasco asked whether there was any consideration given to increasing the building height limit to achieve a higher density.

Mr. Blasco asked if there were any proponents or opponents wanting to speak on the matter. Hearing none, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion. Mr. Jefferson asked for confirmation that the rezoning request included the site plan. Mr. Blasco expressed hesitation about the height limitation and noted that although the market may not support greater density today, it might be feasible in the future.

**RESULT: Recommend to Town Council for Adoption [UNANIMOUS]**

**Motion: Ms. Avent** – I move that the Planning Commission accept the Consistency Statement detailed in Section V of this report, as their own written recommendation regarding the consistency of the request with the Town's adopted land use plans and recommend approval of CZ-SB/SP-20-10 to the Town Council (with the added amendment to strike proposed zoning condition 3, thereby eliminating height restrictions as a zoning condition).

**Second: Ms. Hogan**

**VOTE: Aye: Avent, Blasco, Hogan, Jefferson, Moua, Voiland**

Mr. Blasco proposed a friendly amendment to eliminate proposed zoning condition 3 setting building height restrictions, which was accepted by Ms. Avent and Ms. Hogan for inclusion in the motion.

**\*\*Ms. Hogan experienced technical issues and was not virtually present for the case CZ-SP-20-13\*\***

**D. Conditional District Rezoning with Site Plan Request:**

**CZ-SP-20-13 Evolve NC 50 Restaurant** – Bass, Nixon, & Kennedy is requesting rezoning for approximately 2.18 +/- acres from Community Retail (CR) to Conditional Community Retail (CR C237) with an accompanying site plan for a Restaurant with Seating and Drive-Through Window. The site is located at 1619 Benson Rd. and can be further identified as Wake County PIN(s) portion of **1710-73-9873**, portion of **1710-73-8710**, and a portion of **1710-73-7724**.

**Staff/Commission Discussion:** Mr. Bamford presented the staff report for the rezoning request. Ms. Lontos-Lawler presented the transportation portion of the staff report. Ms. Griffin presented the site plan proposal portion of the staff report. Mr. Jefferson expressed concern over the internal turning performance in the parking lot. Mr. Jefferson commented that he appreciated the planting plan. Mr. Voiland asked about traffic impacts and expressed concern about congestion for morning commuters. Mr. Voiland asked whether any consideration had been given to installing a traffic signal at Evolve Drive. Mr. Blasco asked about the future road widening of NC 50.

**Applicant/Commission Discussion:** Mr. David Blevins, of Bass, Nixon & Kennedy, spoke on behalf of the project. Mr. Voiland expressed concern that potential patrons could be discouraged from visiting the site if traffic congestion became a deterrent. Mr. Moua commented that he thought the request was a good project and consistent with the zoning, but that he would have preferred that this type of development be located closer to Timber Drive.

Mr. Blasco asked if there were any proponents or opponents wanting to speak on the matter. Hearing none, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion.

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

**Motion: Ms. Avent** – I move that the Planning Commission accept the Consistency Statement detailed in Section VI of this report, as their own written recommendation regarding the consistency of the request with the Town’s adopted land use plans and recommend approval of CZ-SP-20-13 to the Town Council.

**Second: Mr. Jefferson**

**VOTE: Aye: Avent, Blasco, Jefferson, Moua  
Nay: Voiland**

**\*\*Ms. Hogan resolved technical issues and was virtually present for the remainder of the meeting\*\***

**A. Text Amendment Request:**

**UDO-21-01 Telecommunications Facilities in the LBC Overlay District** – Thomas H. Johnson, Jr., of WilliamsMullen, attorney for American Towers, LLC, is requesting to amend the UDO to allow telecommunication towers in the Lake Benson Conservation Overlay District.

**Staff/Commission Discussion:** Mr. Buie presented the staff report for the text amendment request. Mr. Blasco asked why the Commission was hearing this text amendment request since another telecommunications text amendment had been recently heard by the Commission. Mr. Blasco asked whether this text amendment request was tied to a specific development proposal. Mr. Jefferson asked whether future telecommunications tower development proposals would come before the Commission under this text amendment proposal. Mr. Jefferson asked for confirmation that this process was initiated in order to replace an existing telecommunications tower. Mr. Voiland asked whether the tower to be decommissioned would be physically removed.

**Applicant/Commission Discussion:** The applicant was not present to speak on behalf of the project.

Mr. Blasco asked if there were any proponents or opponents wanting to speak on the matter. Hearing none, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion.

**RESULT: Recommend to Town Council for Adoption [UNANIMOUS]**

**Motion: Ms. Hogan** – I move that the Planning Commission accept the Consistency Statement detailed in Section VI of this report, as their own written recommendation regarding the consistency of the request with the Town’s adopted land use plans and recommend approval of UDO-21-01 to the Town Council.

**Second: Mr. Voiland**

**VOTE: Aye: Avent, Blasco, Hogan, Jefferson, Moua, Voiland**

## VI. Reports

**A. Planning Director** – Mr. Triezenberg gave the Commission updates on past projects. Mr. Triezenberg offered to respond to any questions or comments on the post-Chapter 160D process. Mr. Triezenberg offered updates on the UDO Re-Write Steering Committee’s progress and the associated zoning remapping. Mr. Triezenberg gave updates on the solicitation and appointment of new Commissioners in the coming months.

### B. Planning Commission

Ms. Hogan asked about the status of a previously approved project for a bank located on US HWY 70. Mr. Blasco commented on the importance of zoning conditions, including architectural conditions. Mr. Blasco observed that zoning conditions offer opportunities to ask for limitations or exclusions, and he encouraged the Commission to think about appropriate zoning conditions in the future. Mr. Blasco spoke about tree preservation regulations and local enabling state legislation. Ms. Terri Jones provided updates on several proposed bills in the state legislature proposing to curtail local government powers to preserve trees. Mr. Blasco observed that the Commission will have an opportunity to vote on leadership positions in two months’ time. Mr. Blasco noted he would be unable to attend the following month. The Commission recognized Ms. Avent’s birthday.

## VII. Adjournment

Having no further matters to discuss, the meeting was adjourned at 10:14 PM.