



September 13, 2021 7:00 PM
Town of Garner Planning Commission Minutes
Council Meeting Room
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, September 13, 2021.

II. Roll Call

The Secretary conducted the roll call for the meeting.

Members present: Jon Blasco, Chair; Phillip Jefferson, Vice Chair; Gina Avent; Vang Moua; Sherry Phillips; and Michael Voiland.

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

III. Invocation

Mr. Jefferson gave the invocation.

IV. Minutes

Regular Meeting Minutes August 9, 2021 – Mr. Voiland made a motion to approve the presented minutes of the August 9th meeting. The motion was seconded by Mr. Jefferson. The vote to approve was unanimous.

V. Old/New Business:

Mr. Blasco moved to swap the presented order of business items to hear case CZ-SP-20-04 first by general consent. There were no objections.

A. Conditional Zoning Map Amendment with Site Plan Request:

CZ-SP-20-04 4700 Guy Road – D & S Properties, LLC is requesting rezoning for approximately 6.26 +/- acres from **Single-Family Residential (R-40)** to **Service Business (SB C233) Conditional** with associated site plan. Conditions are proposed to construct 20,000 square feet of indoor commercial space as well as associated outdoor areas that may be occupied by a proposed conditional list of uses. The 6.26-acre site is located at 4700 Guy Road and can be further identified as Wake County PIN(s) **1740206340** and **1740209101**.

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Staff/Commission Discussion: Mr. Bamford presented the zoning portion of the staff report. Mr. Triezenberg presented the site plan portion of the staff report. Mr. Blasco asked for confirmation that the site plan would be a condition of the rezoning. Mr. Blasco asked whether staff was comfortable with the proposed list of conditioned uses. Mr. Blasco asked whether, in consideration of the relatively short portion of Guy Road fronting the site, a fee-in-lieu for road improvements might be preferable to the Town.

Applicant/Commission Discussion: Ms. Pam Porter, of TMTLA Associates, spoke on behalf of the project. Mr. Moua commented that since Guy Road was an NCDOT-maintained road, the applicants may be advised to work with NCDOT on the construction of a new waterline.

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 Approval [UNANIMOUS]

Motion: Mr. Voiland – 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-20-04 to the Town Council.

Second: Ms. Avent

VOTE: Aye: Avent, Blasco, Jefferson, Moua, Phillips, Voiland

B. Conditional Zoning Map Amendment with Master Plan Request:

CZ-PD-20-02 Mahler’s Creek – Burton Engineering is requesting rezoning for approximately 8.68 +/- acres from **Single-Family Residential (R-12)** and 63.87 +/- acres

from **Single-Family Residential (R-40)** to **Planned Residential Development (PRD C12) Conditional** for the development of a residential community of approximately 170 single-family homes on three sizes of lots. The proposed zoning conditions limit uses to single-family detached residential units and the density to a maximum of 2.4 units per acre. The 72.2-acre site is located to the northwest of Bryan Road between the Everwood and Fox Haven subdivisions and can be further identified as Wake County PIN(s) **1720012472**, **1720027137** and **1720019776**.

Staff/Commission Discussion: Mr. Bamford presented the zoning portion of the staff report. Ms. Lontos-Lawler presented the transportation portion of the staff report. Ms. Griffin presented the master plan portion of the staff report. Mr. Voiland asked whether there were any plans to soften the nearby curve on Bryan Road. Mr. Jefferson asked about the sizes of the lots in nearby existing subdivisions. Mr. Blasco asked why road connections to stubs were not made when other nearby subdivisions were developed—specifically to Forest Landing Drive and Foxbury Drive. Ms. Phillips asked for confirmation that a traffic light would not be built at Bryan Road and White Oak Road as part of this project.

Applicant/Commission Discussion: Ms. Pam Porter, of TMTLA Associates, spoke on behalf of the project. Ms. Porter was joined by Rich Barta, of Core Properties, and Lyle Overcash, of Kimley-Horne. Mr. Blasco asked about the front setback deviation request and whether the applicant had given thought to where the garages would be sited, since short driveways can cause residents to obstruct sidewalks with parked vehicles. Mr. Blasco asked about the proposed condition of screening trash can storage and whether the applicant had considered the size of garages and the storage for trash cans. Mr. Blasco commented that he felt that one or two understory trees might not be sufficient, and perhaps trees could replace shrubs on the landscaping plan. Mr. Blasco recommended the applicant consider increasing the number of canopy trees planted as a way to mimic forest cover. Mr. Blasco recommended using more than one species of evergreen plantings for the hedgerows. Mr. Blasco asked about the proposed condition of a minimum of one window being visible from the right-of-way, and whether more windows would be warranted. Mr. Blasco commented that he would appreciate additional windows. Mr. Blasco asked about the proposed side path and whether it would be five or six feet. Mr. Blasco commented that he would not be opposed to a five-foot side path. Mr. Blasco asked about the blue line stream going behind Twinberry and noted that the Corps of Engineering said it was a non-jurisdictional stream. Mr. Blasco commented that he appreciated the thought for traffic calming measures and asked whether the applicant considered other measures besides speed bumps. Mr. Blasco encouraged bump-outs as a traffic calming measure. Mr. Blasco asked whether there was a way to compromise on the proposal for smaller lot sizes. Mr. Blasco commented that he wondered whether there was a way to shrink lot sizes while increasing buffers to give more separation between the proposal and existing neighborhoods. Mr. Jefferson asked whether the applicant knew what the size of the lots would have been under the previous proposal to create

a 270-lot subdivision. Mr. Jefferson commented that the density being proposed was already lower than what the Garner Forward plan calls for, so a reduction in density would make the proposal even more inconsistent. Mr. Jefferson, referencing the proposed window-façade condition, asked about the need for faux shutters. Mr. Jefferson commented that it was important to provide residents with as much natural light as possible, and that windows improve a home's selling point and are an important part of architectural character. Mr. Jefferson commented the proposed homes would face different directions and that windows that allow for natural light flow represent a "performance-based" standard. Mr. Jefferson asked whether the proposed locations of the amenities and stormwater control measures were protecting the existing wetlands. Mr. Jefferson commented that he appreciated the applicant working to reduce the drainage area affecting nearby residents on Twinberry Lane. Mr. Jefferson asked whether the proposed walkway would be surface-based or elevated. Mr. Jefferson asked about the proposed zoning condition that the homes' façades will have a percentage brick/masonry, and how this compared to existing homes. Mr. Jefferson asked about the proposed architectural condition for eaves and rakes. Mr. Jefferson commented that larger eaves were important for keeping homes cool in the summer, and that this too represented a performance-based standard. Mr. Jefferson echoed Mr. Blasco's question about the driveway length relative to the proposed front setback deviation, and commented on the importance of unobstructed sidewalks. Mr. Voiland asked how public greenways and trails would be differentiated from private trails. Mr. Moua commented on the sidewalk connection of 40 feet and recommended that the Town and the developer work together to finish the connection. Mr. Moua commented that he appreciated the different housing types as they will appeal to different families and buyers. Ms. Avent thanked the developer for the compromises they had made thus far. Ms. Avent asked about the proposed street widths in the development. Ms. Avent commented that wide streets were helpful as residents and visitors often park in the road and make it difficult to drive. Ms. Avent commented that the Town needed to look at improvements on Bryan Road, because the traffic congestion is currently severe and can be expected to worsen with many more lots and vehicles. Mr. Blasco asked why DOT would not look into fixing the curve on Bryan Road. Mr. Blasco asked about the stormwater control measures and whether the applicant had considered their appearance and design (dry pond, wet pond, or retention basin). Mr. Blasco commented that stormwater control measures can be designed nicely. Mr. Jefferson asked about the projected price point of the homes and how it compared to the surrounding neighborhoods. Ms. Phillips asked whether the price point was consistent with surrounding neighborhoods.

Mr. Blasco asked if there were any proponents wanting to speak on the matter. Hearing none, Mr. Blasco asked if there were any opponents wanting to speak on the matter.

Larry Brown did not cite opposition but expressed concern for natural habitat preservation, traffic issues all the way to US 70, and whether Everwood would have

access to the amenities in Mahler's Creek. Ms. Porter noted access to the amenities could be considered. Mr. Triezenberg discussed the current options for extending Ackerman Road to NC 50.

Bruce Gentry, 157 Tallowwood Drive, expressed his concerns about density, the apparent lack of consideration of Fox Haven lot sizes and home quality. He noted his preference for R12 zoning. Staff later noted they could provide information on Fox Haven but noted significant differences in development rules for the Commission.

Sherry Garcia, 132 Tallowwood Drive, expressed concerns about not yet having identified a builder. Ms. Porter noted that unless the developer and builder are one and the same as with national tract builders, her experience is that a builder is not typically known at this stage of development.

Elizabeth Morrison, 365 Tallowwood Drive, asked about the size of the homes, the possibility of reducing the number of homes beyond the pinch point, and questioned the expected price point. Ms. Porter said all homes would be a minimum of 2,400 heated square feet. Mr. Triezenberg noted that price points, while of interest, are not something the town staff can suggest directly as a condition. For comparison, he noted that Everwood homes range in size from just over 2,300 square feet on up.

Marshall Garrett, 135 Coffeeberry Court, asked why this development would be considered before Bryan Road was widened. He asked if every subdivision required stubs. Mr. Blasco responded with his understanding of NCDOT operations.

Clifford Kendall, 156 Tallowwood, noted his employment history in multi-modal transportation planning and also expressed concerns about existing development along Bryan and White Oak road and the corresponding insufficiencies of the road network.

Jamie Hawkins, 140 Coffeeberry Court, asked about maintenance of the roads. Ms. Porter said the roads were intended to be public and maintained by the town.

Hearing no further public comments, Mr. Blasco closed the public hearing and brought the matter back to the table for additional discussion/motion.

Mr. Blasco detailed next steps in the process.

Ms. Avent asked why a deviation would be allowed. Mr. Bamford said applicants were able to request a deviation and that was what they had requested. Mr. Triezenberg detailed the history of incorporating the PRD zoning designation into the ordinance.

Mr. Jefferson stated their role was to review the development on whether it was consistent or inconsistent with the stated plans. Mr. Blasco confirmed. He said it was not about whether they liked the plan or not but whether it was consistent or not.

Mr. Blasco said technically this was not consistent because the density was lower. He said a higher density neighborhood could come in and be consistent. He said he was appreciative of crawl space foundations which could lead to less grading. Mr. Jefferson said under the UDO currently the neighborhood could have more density and therefore smaller lot sizes. Mr. Blasco said also townhomes or duplexes. Mr. Jefferson said is it better or worse than something with a higher density.

RESULT: Recommend to Town Council for Approval [UNANIMOUS]

Motion: Mr. Voiland– 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-PD-20-02 to the Town Council. **Ms. Avent** proposed a friendly amendment to the motion: that the Commission not recommend the proposed deviation allowing for minimum 7,200 square foot lot sizes to Town Council (Proposed Zoning Condition 4), which was accepted and included in the motion.

Second: Mr. Blasco

VOTE: Aye: Avent, Blasco, Jefferson, Moua, Phillips, Voiland

V. Reports

- A. **Update on Bond Referendum** – Mr. John Hodges provided an update on the upcoming bond referendum and associated projects. Mr. Blasco asked about a sidewalk connection on Bryan Road to the elementary school.
- B. **Planning Director** – Mr. Triezenberg gave the Commission updates and noted upcoming meetings of interest. Mr. Triezenberg noted the Town Council approval of recent rezonings on Weston Road and 900 Rand Road.

C. Planning Commission

VI. Adjournment

Having no further matters to discuss, the meeting was adjourned at 10:43 PM.

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