



TOWN OF GARNER

PLANNING COMMISSION SUMMARY

Monday, August 9, 2010, 7 pm

Garner Town Hall Building B, Council Meeting Room
900 7th Avenue, Garner, NC

ITEMS

ACTION

Item 1 Call to Order

Commission members were present: Barbara Barat, Christopher Farmer, Carol Hutchison, Vice-Chairman, Elmo Vance, Chairman, Chad Simon,

The following members were absent: Jim Hunnicutt and Charles Williams

Mr. Brad Bass, Planning Director was present representing Staff. Mr. William Anderson of McDaniel and Anderson, LLP, Raleigh, NC and Mr. G. Nicholas Herman of The Brough Law firm, Chapel Hill. Council Member Marshburn was also in attendance.

Item 2 Conditional Use Rezoning and Conditional Use Subdivision requests for Review and Recommendation:

CUD-Z-10-01 and CUP-SB-10-01-M, Sutton Springs - Capital Bank for a change in zoning from the current designation of Residential 15 (R-15)(C-144) to Residential 15 (R-15) (C-159) for approximately 101 acres; the request is to modify existing zoning conditions. A Conditional Use Subdivision request is accompanying this rezoning request. The site is located at 1371 New Bethel Church Road. The site contains multiple Wake County PIN(s) available in the Planning Department during regular business hours.

The Commission unanimously voted (5-0) to recommend denial of Rezoning Request **CUD-Z-10-01** and Conditional Use Subdivision Request **CUP-SB-10-01-M** to the Town Council.

Item 3 UDO Text Amendment for Review and Recommendation:

UDO-10-03, Text Amendment - The proposed change is to amend the UDO to permit the operation of a disabled or handicapped home for up to 8 residents at 117 Broughton Street and as an exception to the half mile separation requirement, for so long as the residence is used for that purpose and is chartered by Oxford House, Inc.

The Commission unanimously voted (5-0) recommend approval of **UDO-10-03, Text Amendment** *waiving* the ½ mile radius separation requirement and permitting the operation of a disabled or handicapped home for up to 7 residents at 117 Broughton Street for so long as the residence is used for that purpose and is chartered by Oxford House, Inc. to the Town Council.

Item 3 Adjournment

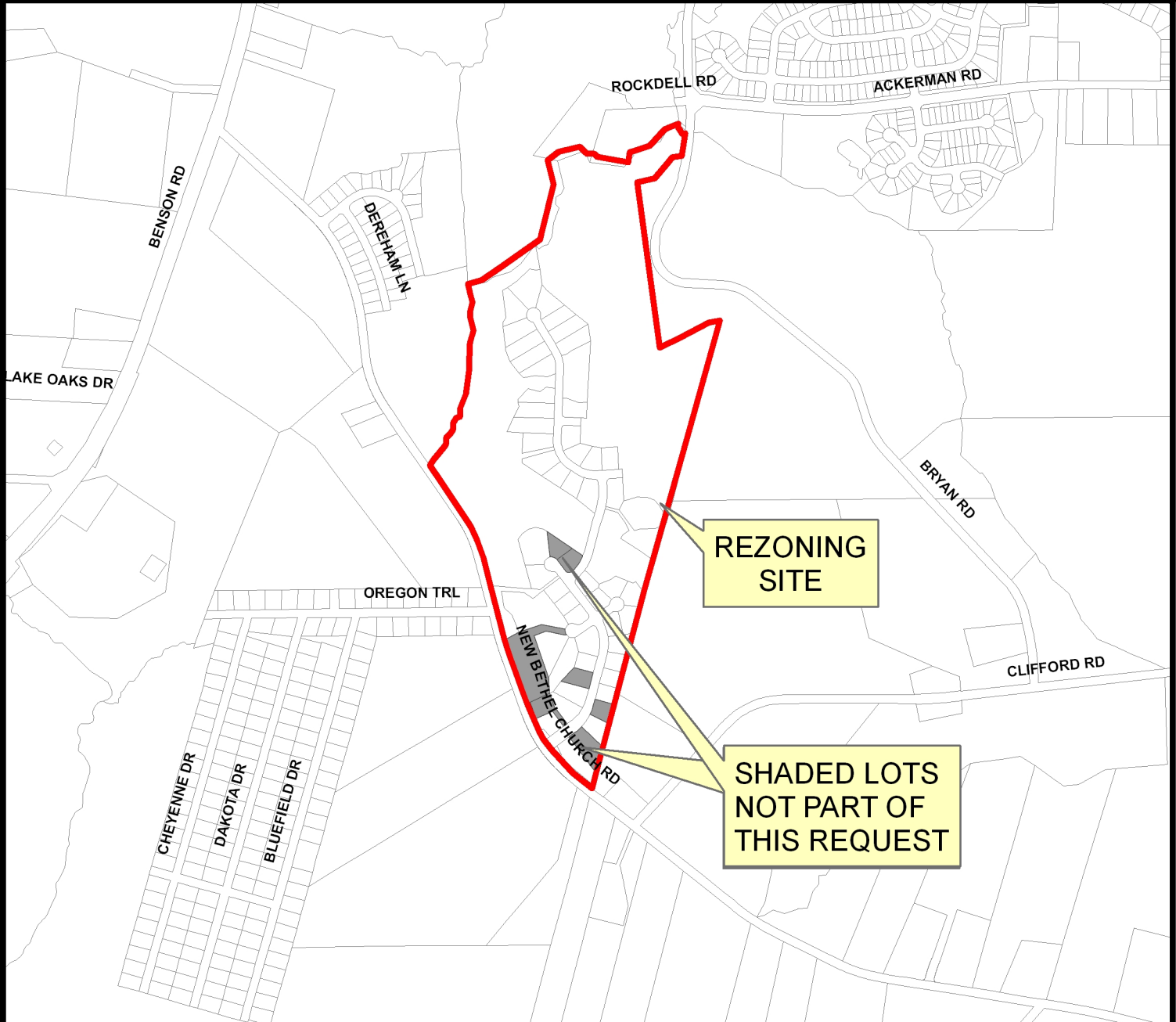
The Commission meeting was adjourned at 9:47 pm



**Town of Garner
Planning Department**

**Conditional Use Applications
CUD-Z-10-01 & CUP-SB-10-01-M**

0 500 1,000 Feet



Project: Sutton Springs Subdivision
 Applicant: Capital Bank
 Owner: Capital Bank
 Location: New Bethel Church Rd

This request only involves the properties owned by Capital Bank. The lots owned by Matthew Sutton, Spectrum Homes Inc, and Tingen Construction Company are not part of or included in this rezoning request.

Case: CUD-Z-10-01
 Current Zoning: R-15 Conditional Use 144
 Proposed Zoning: R-15 Conditional Use 159
 (This is a request to change and modify the site conditions)

Project Acreage: 101.2
 Overlay: Swift Creek Overlay

CUP-SB-10-01
 Existing: Subdivision
 Proposed: Subdivision Modification