



AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, January 12, 2021 at 6:00 PM

Council Chamber at Apex Town Hall, 73 Hunter Street

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

COMMENCEMENT

Call to Order | Invocation | Pledge of Allegiance

PRESENTATIONS

[PR1](#) Jacques Gilbert, Mayor

Presentation of Dr. Martin Luther King, Jr. Day Proclamation

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items

[CN1](#) Donna Hosch, Town Clerk

Motion to approve Minutes of the December 15, 2020 Regular Council Meeting

[CN2](#) Donna Hosch, Town Clerk

Motion to approve Apex Tax Reports dated 11/01/2020, 04/30/2020, and 08/16/20

[CN3](#) Mayor Jacques Gilbert

Motion to appoint Elaine Boyle to the Planning Board to fill the expired term of Beth Godfrey

[CN4](#) Mayor Jacques Gilbert

Motion to reappoint Katie Schaff to the Environmental Advisory Board for a second term, and to appoint Suzanne Mason to a first term

[CN5](#) Sarah Van Every, Senior Planner

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ11 Roberts Road Properties PUD. The applicant, Justin Michela, seeks to rezone approximately 10.54 acres located at 7517 Roberts Road, 2310 Pollard Place, and 2000 Cabin Cove Road (PINs 0733059045, 0733049734,

0733049444) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

[CN6](#) Sarah VanEvery, Senior Planner

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing for January 26, 2021 on the Question of Annexation – Apex Town Council's intent to annex Yumeewarra Farm Assembly property containing 18.737 acres located at 0, 0 and 8633 Humie Olive Road, Annexation #702 into the Town's corporate limits.

[CN7](#) Sarah Van Every, Senior Planner

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ13 Yumewarra Farm Assembly. The applicant, Bill Zahn, Humie Olive Associates, seeks to rezone approximately 18.737 acres located at 0 & 8633 Humie Olive Road (PINs 0711805090, 0710897972, 0710993712) from Wake County Residential-40W (R-40W) to Low Density Residential-Conditional Zoning (LD-CZ).

[CN8](#) Lauren Staudenmaier, Planner I

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ15 Smithfield Road Collision Center. The applicant, Spencer B. Terry III, P.E, Carolina Land Development Group, Inc., seeks to rezone approximately 3.86 acres for the properties located at 5920 & 0 Old Smithfield Road (portion of PIN 0740649391 and portion of PIN 0740649679), from Rural Residential (RR) and High Density Single-Family Residential (HDSF) to Light Industrial-Conditional Zoning (LI-CZ).

[CN9](#) Amanda Bunce, Current Planning Manager

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO) Amendments of December 15, 2020.

[CN10](#) Dianne Khin, Director of Planning and Community Development

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing for January 26, 2021 on the Question of Annexation – Apex Town Council's intent to annex Peak City Partners, LLC (1200 James Street) property containing 4.777 acres located at 1200 James Street, Annexation #699 into the Town's corporate limits.

[CN11](#) Joanna Helms, Economic Development Director

Motion to set the public hearing for the January 26, 2021 Town Council meeting to consider and receive public input on providing an economic development incentive for "Project Delta" in accordance with the Town's policy (Development Investment Grant).

[CN12](#) Russell Dalton, Sr. Transportation Engineer

Motion to approve an Ordinance amending Section 20-164 with the addition of subsection (39) to enforce a No Parking restriction along both sides of Perry Road from Apex Peakway to American Way.

[CN13](#) Adam Stephenson, Engineering Supervisor

Motion to approve revisions to the Town Standard Specifications and Details.

[CN14](#) Michael Deaton, Water Resources Director

Motion to approve Resolution to Abandon Existing Water and Sewer Utility Easements and Temporary Construction Easements as shown on the attached Utility Easement Abandonment Plat for Holleman Hills Subdivision.

[CN15](#) Tony Godwin, Chief of Police

Motion to approve Ordinance amending Section 20-38 to allow the Chief of Police to maintain an eligible list of towing services for use by the Police Department

REGULAR MEETING AGENDA

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda.

The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group.

Comments must be limited to 3 minutes to allow others the opportunity to speak.

PUBLIC HEARINGS

OLD BUSINESS

UNFINISHED BUSINESS

NEW BUSINESS

[NB1](#) Jacques Gilbert, Mayor

Discussion and consensus regarding which ten (10) of the seventeen (17) North Carolina League of Municipalities (NCLM) Legislative Goals the Town Council wishes to have our appointed delegate vote for in the NCLM Goals process and a motion to appoint an elected official as our designated delegate

PRESENTATION BY TOWN MANAGER

[NB1](#) Drew Havens, Town Manager

The Town Manager will give a brief update on various Town projects/operations

CLOSED SESSION

[CS1](#) Laurie Hohe, Town Attorney

Possible motion to go into closed session to consult with the Town Attorney pursuant to NCGS 143-318.11(a)(3)

[CS2](#) Mayor Jacques Gilbert

Possible motion to go into Closed Session to discuss personnel matters.

WORK SESSION

ADJOURNMENT

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION

Meeting Date: January 12, 2021

Item Details

Presenter(s): Jacques Gilbert, Mayor

Department(s): Governing Body

Requested Motion

Presentation of Dr. Martin Luther King, Jr. Day Proclamation

Approval Recommended?

N/A

Item Details

N/A

Attachments

- Proclamation



Town of Apex, North Carolina

Proclamation

from the Office of the Mayor

DR. MARTIN LUTHER KING JR., DAY

WHEREAS, on January 15, 1929, Reverend Dr. Martin Luther King Jr., -- one of the most influential orators for peace, equality, and human rights in world history -- was born in Atlanta, Georgia; and

WHEREAS, throughout his life Dr. King's words and actions inspired a vision where people "transformed the jangling discords of our nation into a beautiful sympathy of brotherhood"; and

WHEREAS, Dr. King sacrificed his life to spread a message of universal equality and justice that touched the soul of our nation. He created efforts to end racial segregation and discrimination through civil disobedience and other nonviolent means; and

WHEREAS, Dr. King's message continues to resonate with the world today by reminding us of the imperative to continue the fight for justice and equality no matter the opposition; and

WHEREAS, people throughout the world continue to be inspired by Dr. King's vision, his strength, character, compassion, and his model for peaceful demonstration and dialogue; and

WHEREAS, Dr. King's goal of a just and united society have continued since his tragic assassination in 1968, and will go on until his dream of freedom, equality, and justice for all is fully realized;

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of The Town of Apex, proclaim Monday, January 18, 2021 as Dr. Martin Luther King, Jr. Day and call upon the citizens of Apex to pay tribute to the life and works of Dr. Martin Luther King, Jr.

IN WITNESS THEREOF, I have hereunto set my hand
and caused the Seal of the Town of Apex, North Carolina
to be affixed this the 12th day of January 2021.

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Donna Hosch, Town Clerk

Department(s): Office of the Town Clerk

Requested Motion

Motion to approve Minutes of the December 15, 2020 Regular Council Meeting

Approval Recommended?

Yes

Item Details

Attachments

- December 15, 2020 Council Minutes





REGULAR TOWN COUNCIL MEETING

Tuesday, December 15, 2020 at 6:00 PM

Council Chamber at Apex Town Hall, 73 Hunter Street

Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier (remotely), and Council Members Audra M. Killingsworth, Brett D. Gantt, Terry Mahaffey, and Cheryl F. Stallings. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch (remotely), and Town Attorney Laurie L. Hohe.

COMMENCEMENT

Mayor Gilbert called the meeting to order, gave the Invocation, and led the Pledge of Allegiance.

Mayor Gilbert stated that Mayor Pro Tem Dozier was attending remotely but that she would not be voting.

PRESENTATIONS

PR1 Keith Joyce of Joyce and Company, Independent Auditor

Presentation of June 30, 2020 audit report from Joyce and Company

Mr. Joyce presented highlights of the audit report. The audit opinion was clean, and the Town was awarded the Certificate of Excellence, a nationwide award, which has been received 26 years in a row. There was one finding but no Management Letter. There was one deficiency similar to the one from the prior year, this year's deficiency most likely being related to COVID.

CONSENT AGENDA

- CN1 Donna Hosch, Town Clerk
Minutes of the November 4, 2020 Regular Council Meeting, the November 17, 2020 Regular Council Meeting, the November 24, 2020 Special Council Meeting, and the December 1, 2020 Regular Council Meeting
- CN2 Donna Hosch, Town Clerk
Apex Tax Report dated October 5, 2020
- CN3 Jacques K. Gilbert, Mayor
Reappointment of all members of the Bee City Committee – Kaitlin Hartman, Michael Erana, Heidi Deja, Guy Loeffler, and Jennifer Springer – to a second term and appointment of a new member, Kimberly Rossi, to a first term to fill the current vacancy on the Committee
- CN4 Jacques K. Gilbert, Mayor
Re-appointment of Reginald Skinner and Tim Royal to the Planning Board as their terms expire December 31, 2020, and naming Michael Marks as Chair and Reginald Skinner as Vice Chair
- CN5 Jacques K. Gilbert, Mayor
Approval of Renisha Battle to fill a vacant seat left by Jane Wolfgang on the Public Art Committee
- CN6 Sarah Van Every, Senior Planner
Findings of Fact, Conclusions of Law and Decision approving a Major Site Plan for Crossroads Ford Truck Center located at 1200 Key Ring Drive
- CN7 Amanda Bunce, Current Planning Manager
Set the Public Hearing for the January 12, 2021 Town Council meeting regarding amendments to the Unified Development Ordinance related to the deadline for the submittal of requested quarterly receipts for businesses that serve alcohol for on-premise consumption
- CN8 Russell Dalton, Sr Transportation Engineer
Amendment to Design Services Agreement – Supplemental 1 with Stantec Consulting Services Inc., for Downtown Streetscape and Parking Design in the amount of \$10,000 and the corresponding Capital Project Ordinance Amendment No. 2021-03.
- CN9 John M. Brown, Director
Contract with Field Turf USA Inc. for conversion of multi-purpose athletic field at Salem Pond Park to synthetic turf and authorize Town Manager to sign all related documents / agreements
- CN10 Marty Stone, Assistant Town Manager
Encroachment Agreement and authorization for the Town Manager to execute the same for Lennar Carolinas, LLC to install a private water line that will encroach on the Town's right-of-way and public drainage easement

CN11 Mitch McKinney, Deputy Chief of Police

One "Chief of Police" badge and one handgun to be declared "surplus", that the price for such handgun be set at \$1.00 (One Dollar), and that the badge and handgun be awarded to Retiring Police Chief John W. Letteney

CN12 John M. Brown, Director

Temporary change in park hours at Apex Nature Park

The Mayor stated that there was a change to the public hearing date in Consent 07 from January 12th to January 26th, and there was an add-on related to the COVID leave policy.

Mayor Gilbert called for a motion to approve the Consent Agenda. Council

Member Killingsworth made the motion with the requested changes;

Council Member Gantt seconded the motion.

The motion carried by a 4-0 vote.

REGULAR MEETING AGENDA

Mayor Gilbert called for a motion to approve the Regular Meeting Agenda.

Council Member Mahaffey made the motion; Council

Member Killingsworth seconded the motion.

The motion carried by a 4-0 vote.

PUBLIC FORUM

Nicholas Brautcher, Peak of the Vine, spoke about his business and its business model. They are a retail wine shop with membership. He stated that with less parking and less foot traffic, he cannot compete with other larger businesses. Because of the pandemic, they are holding activities outside, which are being stopped by the police. He spoke about the hardships and harassment they face because of permitting to which other businesses don't have to comply.

Michelle Phoenix spoke about music at their place of business, Peak of the Vine, for which they have been thanked by the public. They were forced to move from their old location to the new location (on Salem Street). While they have been successful here, they are being forced to be outside because of COVID. They wanted music and outdoor seating, bringing in revenue to the Town, and they are being attacked and harassed by cops being sent to their location. They were asking for solo duo before 10:00 p.m. on Friday and Saturday nights with the playing of music during COVID. Ms. Phoenix felt

they are bringing people and revenue into the community, and simply wanted outdoor seating and music on Fridays and Saturdays.

Elvis Greer, designated speaker for the Stillwater community, asked for a greenway project to be placed in the upcoming budget. At the end of Ragan Road, there is a space that is a clear path to the American Tobacco Trail. They wished for the Town to acquire legal permission to cross through that area and to clear some of the debris to provide a safe walking path, other communities being in support. Right now, there is not a safe place to walk around their neighborhood.

Juan Ortega, Sophie and Mollies Boutique, spoke in support of Peak of the Vine. Downtown Apex's history is music, i.e., Apex Jazz Festival. These venues have stopped across the country, and there are only places like Peak of the Vine left to enjoy. Downtown businesses were in the news, Peak of the Vine included, for the creative things they are trying to do to stay alive. The news showed Peak of the Vine's winter wonderland with lights and guitar playing. For them to be harassed by the police, the Town, and the alcohol bureaus is unacceptable. Mr. Ortega was upset that this continues to happen and that there is no support from the community. He asked Council to fight for them.

Laurie Nelson, Brookfield subdivision, spoke about her holiday card that depicted a Black Lives Matter photo. She thought her card would bring joy, but it brought anger to one neighbor, David Swope, a police officer. He sent her an angry text message. She was wondering what would happen when his tolerance ran out. There are those who have signs displayed in yards that depict Black children. Will her Black Lives Matter car sticker make her a target for other officers who felt the same way? Ms. Nelson reported her concerns to Officer McKinney, and found this was a pattern that causes concerns about Apex PD. Officer McKinney, while polite, left her questioning herself – she did not feel heard or safe. Ms. Nelson formally requested a cultural assessment of the police department be initiated immediately to understand diversity, equity, and inclusion issues in the police department – especially as we prepare to hire a new police chief. She hoped the new chief will respect the dignity and cultural diversity of the community. She hoped this would be a first step in developing a police advisory board where all cultural and diversity concerns could be heard by all.

PUBLIC HEARINGS

PH1 Joanna Helms, Economic Development Director by Assistant Town Manager Shawn Purvis

Conveyance of +/-26 acres of the Cash Corporate Center located at 2100 Production Drive for \$1,955,460.00 for the purposes of Economic Development, pursuant to N.C.G.S 158-7

Staff stated this was similar to the public hearing heard two weeks ago. Council has provided for purchase of the property. Staff oriented Council to the site, which would be for Project Delta. Responding to Council, staff stated Project Protein was looking to close within the next 45-60 days.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the conveyance of +/- 26 acres for \$1,955,460.00;

Council Member Gantt seconded the motion.

The motion carried by a 4-0 vote.

PH2 Shawn Purvis, Assistant Town Manager and Amanda Grogan, Budget & Management Analyst

Citizen input regarding the formulation of the Fiscal Year 2021-2022 Annual Budget
Staff stated this would give the community an opportunity for feedback into the budget. She stated there was a public participation and prioritization tool on the website, detailing what was included.

Responding to Council, staff stated public input was for board projects, and that we can determine if respondents live within the town limits. The rough budget calendar was stated. Staff responded that prioritization was better done through the survey than through emails. However, emails are monitored and responded to year-round. Most responses come after the budget is adopted, most being complimentary.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Council stated that prior to his becoming a Council Member, he and his neighbors used the email address which can be a useful tool to get what want is wanted as a need in the community. Council stated this is where there is the most citizen impact for certain projects. Both hoped these tools were something that the community would use this year.

PH3 Dianne Khin, Director of Planning and Community Development
Ordinance on the Question of Annexation – Apex Town Council's intent to annex MFW Investments, LLC (Colby Crossing) property containing 7.578 acres located along a portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651 into the Town's corporate limits
Staff oriented Council to the site. The subdivision was approved previously, and staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the Ordinance related to Annexation #651; Council Member Killingsworth seconded the motion.
The motion carried by a 4-0 vote.

PH4 Dianne Khin, Director of Planning and Community Development
Ordinance on the Question of Annexation – Apex Town Council's intent to annex Kimberly & Loomis Horton, III, Mary Elizabeth Horton, Dwight Marvin Wright, MFW Investments, LLC, and MFWIRA, LLC (Horton Park PUD) properties containing 101.356 acres located at 8140, 8252, 8306, and 8308 Smith Road; 0 East Williams Street; 0, 0, 0, 0, & 0 Dezola Street; and 5220 Jessie Drive, Annexation #687 into the Town's corporate limits
Staff oriented Council to the site which was in a similar location to that in Public Hearing 3. Staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Gantt made the motion to approve the Ordinance related to Annexation #687; Council Member Mahaffey seconded the motion.
The motion carried by a 4-0 vote

PH5 Dianne Khin, Director of Planning and Community Development
Ordinance on the Question of Annexation – Apex Town Council's intent to annex MCI Enterprises LLC (MCI Business Park Buildings 3 & 4) property containing 5.53 acres located at MCI Business Park, Annexation #697 into the Town's corporate limits

Staff oriented Council to the site, which was also in the same general vicinity as Public Hearings 3 and 4. Staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Responding to Council, staff answered questions about any future environmental remediation for which the property owner would have responsibility.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the Ordinance related to Annexation #697; Council Member Killingsworth seconded the motion.
The motion carried by a 4-0 vote

PH6 Shelly Mayo, Planner II

2020 Annual Hazard Mitigation Action Plan Update

Staff stated two federal acts require these Plans in order to be eligible for federal money. This was a group project with a lot of input, and staff identified those persons in the group. Staff spoke about several of the items in the action plan. Exciting was the completion of the White Oak Greenway, and staff explained how this can help in an evacuation effort. Three new items were added – Public Stations 6 and 7 and the future fire administration building.

Staff spoke briefly about ongoing items and stated those with a concrete ending point. Beaver Creek greenway, Middle Creek greenway, Apex West greenway, the Beaver Creek sewer line improvement, the Peakway loop are in the works. Staff spoke about updates to the UDO. Police and Fire and IT are working together to improve our communication abilities.

Responding to Council, staff spoke to how this document influences CIP decisions which will be made by Council. We try to get major projects on as many documents as possible to increase the likelihood of federal funds. The Town Manager explained this information will be incorporated in the upcoming CIP discussion with Council.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the Mitigation Action Plan; Council Member Stallings seconded the motion.

Council stated he likes doing this type of planning as disasters are not well predicted and not always well planned for. He felt comfortable that we will be prepared as best we can because of this plan.

Council stated sometimes we undersell to the public and hazard mitigation should be a larger topic of information.

The motion carried by a 4-0 vote

PH7 Amanda Bunce, Current Planning Manager

Various amendments to the Unified Development Ordinance
Staff oriented Council to the amendments.

Responding to Council, staff spoke about non-ETJ areas and these areas being counted as offsite RCA. Staff stated we requested ETJ expansion in 2007, but this was not granted by the County. Staff explained there are benefits to having people annexed when they get rezoned. The ETJ is not necessarily beneficial for many reasons. Council expressed wanting to hear more about this.

Planning staff and the Planning Board recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the UDO Amendments; Council Member Stallings seconded the motion.

Council stated excitement in seeing the RCA changes, and he talked about our policy goals and what he hopes to see happen in the future.

Council spoke about the benefit of being able to expand for park purposes.

Council appreciated the work done by everyone and how this is tied to our strategic goals.

The motion carried by a 4-0 vote

OLD BUSINESS

OB1 Vance Holloman, Finance Officer

Temporary Ordinance Modifications extending the current suspension of utility disconnections and application of penalties and fees for unpaid utility balances
Staff stated there was updated information to the cover sheet – we have 2,083 accounts subject to disconnection totaling \$967,566, and slightly under a fourth have set up payment plans. He explained possibilities as to why there has not been a larger percentage of those setting up payment plans. Staff expounded more on account figures and revenues. He stated there are two surrounding municipalities that plan to reinstate cutoffs in January.

Responding to Council, staff spoke about the average number of people in arrears and where we stood compared to the Statewide average. He spoke about a utility relief program of another municipality and how that program works.

Conversation ensued among Council about our citizens being impacted by the pandemic, how we are not able to forgive utility debt, how we will need to get back to a regular billing process, and our possibly transitioning to a way/program going forward to help our customers. Wake Helps is now closed.

Council stated he would oppose approval because of too much uncertainty and the million-dollar figure is only going to grow. Council stated that if we decided to stop the effort, it did not mean we would get the money. Council provided information leading to more conversation of possible funding that may be forthcoming from the government. Conversation ensued on the Town implementing its own assistance program.

Mayor Gilbert called for a motion. Council Member Killingsworth made a motion to extend suspension of utility disconnections and application of penalties and fees for unpaid utility balances to February 28, 2021;
Council Member Stallings seconded the motion.

Council stated this is the fault of COVID and not the fault of our customers. The Mayor stated that he receives emails weekly from citizens and business owners asking how they can get back on track. We must continue to move forward during these unprecedented times to help the citizens and business owners.

Council Members Killingsworth, Stallings, and Mahaffey voted in the affirmative. Council Member Gantt voted in the negative.
The motion carried by a 3-1 vote.

Mayor Gilbert called for a ten-minute break.

UNFINISHED BUSINESS

There were no Unfinished Business items for consideration.

NEW BUSINESS

NB1 Shawn Purvis, Assistant Town Manager

General Title VI Nondiscrimination Policy and associated grievance procedures

Staff stated this was part of the requirement for us to receive federal and state funding, especially for DOT. We have had the required practices in place, but DOT has asked for a formal approval statement. This is the first step to putting us in compliance; other policies are being reviewed. There was an immediate need and deadline for this presented piece.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the General Title VI Nondiscrimination Policy and associated grievance procedures; Council Member Stallings seconded the motion.

The motion carried by a 4-0 vote.

NB2 Shawn Purvis, Assistant Town Manager

Financial support to DHIC for the affordable housing project at Broadstone Walk in the form of grants from the Affordable Housing Fund for Water and Sewer Capital Reimbursement Fees and Recreation Fees-in-lieu and a loan for construction contingent upon final project approval

Staff stated we received two letters from DHIC, Tim Fisher being on line if questions. The first was for grant funding to cover the cost of water and sewer capital reimbursement fees. Council considered this request when the project was in a different phase and design over a year ago, the request being approved. The second letter was a request for a loan of \$1million to mirror what the County does for their housing. This would fill in the gap from other funding sources. Staff explained why DHIC was asking for the \$1 million. Staff was confident with the model in order to market the product. This will also help to assure affordability stays lower, which is what DHIC recommended.

Council stated this request was coming before the final plan and wanted to know what is the biggest bang for the buck in the affordable housing plan. Is this an effective use of the money, and is it the best use of affordable housing money? Staff stated the biggest impact is a reality thing; it helps the 164 units get built for more affordable housing in the town. There are other needs, but DHIC would look to other programs for these.

Staff stated the 4% tax credit is guaranteed money but takes more partnerships. It would be a good thing to do the 4% if we and the County could swing it. DHIC tried but did not get the 9%, which is more competitive and more limited. The County is committing a bit over \$3 million to the project.

Staff stated DHIC would not need funds until this time next year when actual construction begins. We could split funding between this year and next. Staff stated this project was presented at the retreat earlier this year, and the funding was about \$3 million at that time for us and the County. DHIC has figured out a way to lessen our share.

Council stated this would be guaranteed affordable housing that people need. We would be putting our money where our mouth is at this point.

Council asked if the same project came tomorrow, would we have to raise the amount. Council responded saying that this is DHIC's committed focus, doing so in an equitable way and connecting people with resources. We would get people who feel they belong in this community and hopefully they would stay. If we get another project, we would address it when it came along.

Staff stated that if another project comes along, the numbers would be brought before Council. There is a banked fund to be able to use for these types of projects that could be extended. We can prioritize as we go along.

Yolanda Winstead, new president of DHIC, thanked Council for the opportunity. She presented more background on DHIC, which has been in business for over 45 years, and their past and current projects. She expressed the quality and maintenance of their projects. She explained the funding piece, stating their intention to maintain the affordability and that the Town's investment would be well spent.

Council stated she appreciated the range of incomes. Responding to Council, staff stated we are doing a good job of getting started. She spoke about the experience of other municipalities who have been doing this for a while, our being able to benefit from their experiences. Responding to Council, Mr. Fisher spoke a bit about their past relationship with the County and decisions that were made in dealing with them.

Council stated he was not skeptical of DHIC. He was skeptical, however, that we may get pushed soon. Staff stated that money to the fund would be added annually and that this is a loan. Things may happen, but there is an expectation that money will be coming back because this is a loan.

Council stated this was a great use of funding and explained why. He stated that we should try to do this every time such requests come before Council.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the grant funding to cover the cost of water and sewer capital reimbursement fees and the \$1million loan; Council Member Gantt seconded the motion.

The motion carried by a 4-0 vote.

CLOSED SESSION

CS1 Laurie Hohe, Town Attorney

To consult with the Town Attorney pursuant to NCGS 143-318.11(a)(3) to discuss the handling of the matter of Empire Contractors, Inc. v. Town of Apex

CS2 Jacques K. Gilbert, Mayor

To discuss a personnel matter

Mayor Gilbert called for a motion to go into Closed Session. Council Member Mahaffey made the motion; Council Member Stallings seconded the motion.

The motion carried by a 4-0 vote.

With no objection from Council, Mayor Gilbert called for a return to Open Session.

WORK SESSION

There were no work Session items for consideration.

ADJOURNMENT

With no further business and without objection from Council, Mayor Gilbert adjourned the meeting.

Donna B. Hosch, MMC, Town Clerk

ATTEST:

Jacques K. Gilbert, Mayor

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Donna Hosch, Town Clerk

Department(s): Office of the Town Clerk

Requested Motion

Motion to approve Apex Tax Reports dated 11/01/2020, 04/30/2020, and 08/16/20

Approval Recommended?

Yes

Item Details

In regular session on December 7, 2020, the Wake County Board of Commissioners approved and accepted the Apex tax report dated 11/01/2020. Tax Reports 04/30/2020 and 08/16/2020 were previously submitted by Wake County but not presented to Council for approval.

Attachments

- Tax Reports dated 11/01/20, 04/30/20, and 08/16/20




Board Report**Return**

Date : 11/16/2020

Approved By : Kimforbacher

TO : WAKE COUNTY BOARD OF COMMISSIONERS

RE: CONSIDERATION OF REFUND FOR TAXES, INTEREST AND PENALTIES FOR APEX

No.	Name of Tax Payer	Account Number	Tax and Penalties	Total Rebate	Total Refund	Request Status
1	PEAK FALL PROTECTION LLC PO BOX 965 APEX NC, 27502	0006903490- 2020- 2020- 000000	City County	575.66 908.94	1,484.60	1,484.60 Refund
2	THE WIDEWATERS GROUP INC PO BOX 3 DE WITT NY, 13214 - 0003	0000348296- 2020- 2020- 000000	City County	5,361.59 8,465.67	13,827.26	13,827.26 Refund
Marcus D. Kinrade			Total City Rebated	5,937.25		
Wake County Tax Administrator			Total County Rebated	9,374.61		
			Total Rebate/Refund	15,311.86	15,311.86	

CC:

*Refund amount may differ from rebated total due to released interest or application of payment to any balance due on the account.

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Board Report

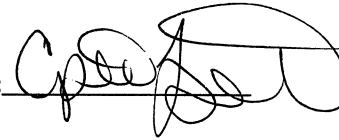
Date : 11/16/2020


TO : WAKE COUNTY BOARD OF COMMISSIONERS

RE: CONSIDERATION OF REFUND FOR TAXES, INTEREST AND PENALTIES FOR APEX

Return

Approved By :



No.	Name of Tax Payer	Account Number	Tax and Penalties	Total Rebate	Total Refund	Request Status
1	RAMAKRISHNAN, SUBASH P 533 PARLIER DR APEX NC, 27523 - 8511	0000442808- 2020- 2020- 000000	City County	39.15 61.82	100.97	100.97 Refund
Marcus D. Kinrade			Total City Rebated	39.15		
Wake County Tax Administrator			Total County Rebated	61.82		
			Total Rebate/Refund	100.97	100.97	

CC:

*Refund amount may differ from rebated total due to released interest or application of payment to any balance due on the account.

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Tax Committee Meeting: 11/19/2020

Board of Commissioners Meeting: 12/07/2020

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Adjustments, Rebates, and/or Refunds of Penalties

Approved by:

Kim Lorbacher

The Wake County Tax Committee has approved the following policy to recommend relief of the late listing and/or vehicle penalties when at least one of the following conditions apply:

Relief Codes:

1. New to North Carolina
2. First time listing
3. Previous year listing on time
4. Omitted item(s) from listing - Current/previous listing on time
5. Military Deployment
6. Provided proof of timely listing

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Late List Appealed	Appeal/Request Type	Recommendation	Relief Code
17093	DISH NETWORK LLC PO BOX 6623 ENGLEWOOD CO 80155-6623	BUSINESS PERSONAL PROPERTY APEX	0006150517 2020 Not Paid	\$18.65	Late List Penalty	Granted	6

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

OK

Marcus Kinrade, Tax Administrator



Wake County Tax Administration

Rebate Details

10/01/2020 - 10/31/2020

APEX

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11/01/2020

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
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BUSINESS ACCOUNTS

769194	3.26	0.00	0.33	0.00	3.59	10/22/2020	0006457045	2017	2017	000000	NISCO CONSTRUCTION INC
767638	0.00	0.00	143.04	0.00	143.04	10/06/2020	0006910716	2020	2020	000000	LETOURNEAU ENTERPRISES LLC
769197	3.56	0.00	0.36	0.00	3.92	10/22/2020	0006457045	2019	2019	000000	NISCO CONSTRUCTION INC
768075	18.68	0.00	1.87	0.00	20.55	10/13/2020	0006465473	2013	2013	000000	KITCHEN & BATH STUDIOS
768076	14.89	0.00	1.49	0.00	16.38	10/13/2020	0006465473	2014	2014	000000	KITCHEN & BATH STUDIOS
768077	13.47	0.00	1.35	0.00	14.82	10/13/2020	0006465473	2015	2015	000000	KITCHEN & BATH STUDIOS
768078	12.25	0.00	1.23	0.00	13.48	10/13/2020	0006465473	2016	2016	000000	KITCHEN & BATH STUDIOS
768079	11.88	0.00	1.19	0.00	13.07	10/13/2020	0006465473	2017	2017	000000	KITCHEN & BATH STUDIOS
768080	12.67	0.00	1.27	0.00	13.94	10/13/2020	0006465473	2018	2018	000000	KITCHEN & BATH STUDIOS
768081	12.67	0.00	1.27	0.00	13.94	10/13/2020	0006465473	2019	2019	000000	KITCHEN & BATH STUDIOS
769189	3.60	0.00	0.00	0.00	3.60	10/22/2020	0006457045	2011	2011	000000	NISCO CONSTRUCTION INC
769190	3.35	0.00	0.33	0.00	3.68	10/22/2020	0006457045	2013	2013	000000	NISCO CONSTRUCTION INC
769191	3.35	0.00	0.33	0.00	3.68	10/22/2020	0006457045	2014	2014	000000	NISCO CONSTRUCTION INC
769192	3.35	0.00	0.33	0.00	3.68	10/22/2020	0006457045	2015	2015	000000	NISCO CONSTRUCTION INC
769193	3.26	0.00	0.33	0.00	3.59	10/22/2020	0006457045	2016	2016	000000	NISCO CONSTRUCTION INC
767637	0.00	0.00	1,422.58	0.00	1,422.58	10/06/2020	0006804622	2020	2020	000000	COSTCO WHOLESALE CORPORATION
769195	3.56	0.00	0.36	0.00	3.92	10/22/2020	0006457045	2018	2018	000000	NISCO CONSTRUCTION INC

SUBTOTALS FOR BUSINESS ACCOUNTS	123.80	0.00	1,577.66	0.00	1,701.46	17	Properties Rebated
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BUSINESS REAL ESTATE ACCOUNTS

769429	1,279.38	0.00	0.00	0.00	1,279.38	10/27/2020	0000229580	2020	2020	000000	PRODUCTION RELIANCE LLC
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**Wake County Tax Administration****Rebate Details**

10/01/2020 - 10/31/2020

APEXDATE
11/01/2020TIME
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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS REAL ESTATE ACCOUNTS											
769432	2,333.34	0.00	0.00	0.00	2,333.34	10/27/2020	0000053970	2020	2020	000000	WLH LAKESTONE LLC
769436	13,621.59	0.00	0.00	0.00	13,621.59	10/27/2020	0000422648	2020	2020	000000	APEX TOOL U.S. REAL ESTATE HOLDING, LLC
769455	4,949.74	0.00	0.00	0.00	4,949.74	10/27/2020	0000092212	2020	2020	000000	STANDARD PACIFIC OF THE CAROLINAS LLC
767253	2,039.13	0.00	0.00	0.00	2,039.13	10/01/2020	0000242128	2020	2020	000000	DRP NC 4 LLC
768068	6,947.61	0.00	0.00	0.00	6,947.61	10/12/2020	0000107829	2020	2020	000000	PACIFIC APEX LLC
768584	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462612	2020	2020	000000	PULTE HOME COMPANY, LLC
768586	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462611	2020	2020	000000	PULTE HOME COMPANY, LLC
768587	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462610	2020	2020	000000	PULTE HOME COMPANY, LLC
768588	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462609	2020	2020	000000	PULTE HOME COMPANY, LLC
768589	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462608	2020	2020	000000	PULTE HOME COMPANY, LLC
768590	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462607	2020	2020	000000	PULTE HOME COMPANY, LLC
768591	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462606	2020	2020	000000	PULTE HOME COMPANY, LLC
768592	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462605	2020	2020	000000	PULTE HOME COMPANY, LLC
768593	21.28	0.00	0.00	0.00	21.28	10/16/2020	0000462604	2020	2020	000000	PULTE HOME COMPANY, LLC
768597	23.37	0.00	0.00	0.00	23.37	10/16/2020	0000458920	2020	2020	000000	BAKER RESIDENTIAL OF THE CAROLINAS LLC
768600	212.80	0.00	0.00	0.00	212.80	10/16/2020	0000455231	2020	2020	000000	PULTE HOME COMPANY, LLC
768601	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000455230	2020	2020	000000	PULTE HOME COMPANY, LLC
768603	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000455204	2020	2020	000000	PULTE HOME COMPANY, LLC
768604	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455203	2020	2020	000000	PULTE HOME COMPANY, LLC
768605	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455186	2020	2020	000000	PULTE HOME COMPANY, LLC
768606	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455185	2020	2020	000000	PULTE HOME COMPANY, LLC
768607	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455166	2020	2020	000000	PULTE HOME COMPANY, LLC
768608	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455165	2020	2020	000000	PULTE HOME COMPANY, LLC
768610	212.80	0.00	0.00	0.00	212.80	10/20/2020	0000455164	2020	2020	000000	PULTE HOME COMPANY, LLC
768611	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000455163	2020	2020	000000	PULTE HOME COMPANY, LLC

**Wake County Tax Administration****Rebate Details**

10/01/2020 - 10/31/2020

APEXDATE
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9:40:02 PMPAGE
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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS REAL ESTATE ACCOUNTS											
768612	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000455162	2020	2020	000000	PULTE HOME COMPANY, LLC
768613	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000455161	2020	2020	000000	PULTE HOME COMPANY, LLC
768615	21.28	0.00	0.00	0.00	21.28	10/20/2020	0000462614	2020	2020	000000	PULTE HOME COMPANY, LLC
767475	50.39	0.00	0.00	0.00	50.39	10/07/2020	0000215070	2020	2020	000000	US BANK TRUST NA
767950	737.95	0.00	0.00	0.00	737.95	10/12/2020	0000211729	2020	2020	000000	GROW PRESCHOOL, LLC
768064	14,813.61	0.00	0.00	0.00	14,813.61	10/12/2020	0000310442	2020	2020	000000	DPF BEAVER CREEK LP
SUBTOTALS FOR BUSINESS REAL ESTATE ACCOUNTS	48,604.91	0.00	0.00	0.00	48,604.91	32	Properties Rebated				
INDIVIDUAL PROPERTY ACCOUNTS											
769202	7.87	0.00	0.00	0.00	7.87	10/22/2020	0006899551	2020	2020	000000	BURNS, JAMES LIEF
768732	8.58	0.00	0.86	0.00	9.44	10/20/2020	0006755985	2019	2019	000000	RIGGS, GRESHAM LEE
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	16.45	0.00	0.86	0.00	17.31	2	Properties Rebated				
INDIVIDUAL REAL ESTATE ACCOUNTS											
769418	0.89	0.00	0.00	0.00	0.89	10/27/2020	0000461579	2020	2020	000000	PATEL, JIGNESH A
769420	40.27	0.00	0.00	0.00	40.27	10/27/2020	0000455803	2020	2020	000000	GREEN, KATHERINE SARAH
769439	86.58	0.00	0.00	0.00	86.58	10/27/2020	0000416730	2020	2020	000000	KANDURI, SAI KUMAR

**Wake County Tax Administration****Rebate Details**

10/01/2020 - 10/31/2020

APEXDATE
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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
INDIVIDUAL REAL ESTATE ACCOUNTS											
768428	52.07	0.00	0.00	0.00	52.07	10/15/2020	0000218175	2020	2020	000000	SMITH, JOSEPH MICHAEL
768871	94.07	0.00	0.00	0.00	94.07	10/20/2020	0000445757	2020	2020	000000	ZARANDONA, JOSEPH TRUSTEE
769008	586.35	0.00	0.00	0.00	586.35	10/21/2020	0000222110	2020	2020	000000	HOGAN, MARY LOU
767254	37.05	0.00	0.00	0.00	37.05	10/01/2020	0000433778	2020	2020	000000	DRP NC 4 LLC
767492	11.00	0.00	0.00	0.00	11.00	10/07/2020	0000232438	2020	2020	000000	TAFESSE, ANANYA GETACHEW
767498	60.62	0.00	0.00	0.00	60.62	10/07/2020	0000283175	2020	2020	000000	BALDAUF, PETER R.
767501	147.57	0.00	0.00	0.00	147.57	10/07/2020	0000367123	2020	2020	000000	STEPHENSON, JULIAN C JR
767506	128.07	0.00	0.00	0.00	128.07	10/07/2020	0000186950	2020	2020	000000	MOORE, ERIN E
769414	216.17	0.00	0.00	0.00	216.17	10/27/2020	0000458961	2020	2020	000000	SHAH, AMIT RAMESHCHANDRA
767945	128.39	0.00	0.00	0.00	128.39	10/12/2020	0000448365	2020	2020	000000	EVANS, BRADLEY JOSEPH
769309	116.80	0.00	0.00	0.00	116.80	10/27/2020	0000452208	2020	2020	000000	MA, QI
SUBTOTALS FOR INDIVIDUAL REAL ESTATE ACCOUNTS	1,705.90	0.00	0.00	0.00	1,705.90	14	Properties Rebated				
TOTAL REBATED FOR APEX	50,451.06	0.00	1,578.52	0.00	52,029.58	65	Properties Rebated for City				

**Wake County Tax Administration****Rebate Details**

03/01/2020 - 03/31/2020

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
INDIVIDUAL PROPERTY ACCOUNTS											
751384	108.32	25.00	0.00	0.00	133.32	03/16/2020	0006905601	2020	2019	000000	DONOHUE, MATTHEW PAUL
751383	177.03	25.00	0.00	0.00	202.03	03/16/2020	0006905852	2020	2019	000000	DONOHUE, KACIE SMITH
752453	11.90	0.00	1.19	0.00	13.09	03/30/2020	0006865565	2019	2019	000000	RIESETT, JONATHAN AMES
751805	46.50	0.00	0.00	0.00	46.50	03/20/2020	0006905701	2020	2019	000000	HATHAWAY, STEPHEN THOMAS
752133	63.20	25.00	0.00	0.00	88.20	03/26/2020	0006905730	2020	2019	000000	KURTZMAN, LAURA ANNE
751498	2.08	0.00	0.21	0.00	2.29	03/17/2020	0006800786	2018	2018	000000	BURNETTE, TRAVIS WILSON
751499	1.87	0.00	0.00	0.00	1.87	03/17/2020	0006800786	2019	2019	000000	BURNETTE, TRAVIS WILSON
750421	170.48	25.00	0.00	0.00	195.48	03/03/2020	0006892714	2020	2019	000000	SEDDON, CRAIG ERIC
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	581.38	100.00	1.40	0.00	682.78	8	Properties Rebated				
WILDLIFE BOAT ACCOUNTS											
750735	19.13	0.00	1.91	0.00	21.04	03/06/2020	0004196943	2019	2019	000000	HOWINGTON PROPERTIES LLC
750423	99.87	0.00	9.99	0.00	109.86	03/03/2020	0004191024	2019	2019	000000	HORN, GLENN EDWARD
750736	13.03	0.00	1.30	0.00	14.33	03/06/2020	0004196679	2019	2019	000000	HOWINGTON PROPERTIES LLC
SUBTOTALS FOR WILDLIFE BOAT ACCOUNTS	132.03	0.00	13.20	0.00	145.23	3	Properties Rebated				



Wake County Tax Administration
Rebate Details
03/01/2020 - 03/31/2020
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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
TOTAL REBATED FOR APEX	713.41	100.00	14.60	0.00	828.01			11		Properties Rebated for City	

**Wake County Tax Administration****Rebate Details**

07/01/2020 - 07/31/2020

APEX

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08/16/2020

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
BUSINESS ACCOUNTS											
758914	7.75	0.00	3.10	0.00	10.85	07/01/2020	0006903684	2020	2016	000000	LMN ENTERTAINMENT, INC.
759151	224.35	0.00	22.43	0.00	246.78	07/01/2020	0006799849	2019	2019	000000	RALEIGH APPLIANCE DISTRIBUTORS LLC
758916	4.02	0.00	0.80	0.00	4.82	07/01/2020	0006903684	2020	2018	000000	LMN ENTERTAINMENT, INC.
758915	5.52	0.00	1.66	0.00	7.18	07/01/2020	0006903684	2020	2017	000000	LMN ENTERTAINMENT, INC.
SUBTOTALS FOR BUSINESS ACCOUNTS	241.64	0.00	27.99	0.00	269.63	4	Properties Rebated				
INDIVIDUAL PROPERTY ACCOUNTS											
760882	0.76	0.00	0.00	0.00	0.76	07/24/2020	0006552922	2020	2020	000000	BASF CORPORATION
761107	381.17	90.00	38.12	0.00	509.29	07/29/2020	0006826391	2020	2020	000000	LAKEW, YOSEPH WUBETU
760344	81.01	25.00	0.00	0.00	106.01	07/20/2020	0006890208	2020	2019	000000	NOON, JEANNIE ANN
761002	234.01	25.00	0.00	0.00	259.01	07/27/2020	0006907902	2020	2019	000000	ANDERSON, STEVEN RAY
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	696.95	140.00	38.12	0.00	875.07	4	Properties Rebated				
INDIVIDUAL REAL ESTATE ACCOUNTS											
759122	67.00	0.00	0.00	0.00	67.00	07/01/2020	0000233704	2020	2020	000000	TOLEDO, FERNANDO WILLIAMS
759117	251.36	0.00	0.00	0.00	251.36	07/01/2020	0000202659	2020	2020	000000	HAWLEY, LEON H



Wake County Tax Administration

Rebate Details

07/01/2020 - 07/31/2020

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REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING FOR TYPE	OWNER
SUBTOTALS FOR INDIVIDUAL REAL ESTATE ACCOUNTS	318.36	0.00	0.00	0.00	318.36		2		Properties Rebated	
TOTAL REBATED FOR APEX	1,256.95	140.00	66.11	0.00	1,463.06		10		Properties Rebated for City	

Tax Committee Meeting: 08/20/2020

Board of Commissioners Meeting: 09/08/2020

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Value/Special Situations

Approved by:

Kim Lorbacher

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Value Appealed	Appeal/Request Type	Recommendation
16803	WALLACE, DAVID WALLACE, KIMBERLY 1751 FLINT VALLEY LN APEX NC 27502-5779	1751 FLINT VALLEY LN APEX	0000434125 2019 Paid in Full	\$54,404	Refund Request	Refunds for clerical error
16805	WALLACE, DAVID WALLACE, KIMBERLY 1751 FLINT VALLEY LN APEX NC 27502-5779	1751 FLINT VALLEY LN APEX	0000434125 2018 Paid in Full	\$54,404	Refund Request	↓
16807	WALLACE, DAVID WALLACE, KIMBERLY 1751 FLINT VALLEY LN APEX NC 27502-5779	1751 FLINT VALLEY LN APEX	0000434125 2017 Paid in Full	\$54,404	Refund Request	

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M. Kinrade

Marcus Kinrade, Tax Administrator

Tax Comm. Meeting: 08/20/2020

Approved by: Kim Lorbacher

Board of Commissioners Meeting: 09/08/2020

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Tax Relief Exclusions

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Value Appealed	Appeal/Request Type	Recommendation
16763	CAFFERA, LINDA 1858 HAMMOCKS BEACH TRL APEX NC 27502-9694	1858 HAMMOCKS BEACH TRL APEX	0000434333 2020 Not Paid	\$180,669	Exclusion Elderly Exclusion 105-277.1	Denied, income too high

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M. Kinrade

Marcus Kinrade, Tax Administrator

Tax Committee Meeting: 08/20/2020

Approved by: Kim Lorbacher

Board of Commissioners Meeting: 09/08/2020

TO: Wake County Board of Commissioners and Town Board of Apex

FOR: Consideration of Requests for Exemptions

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Value Appealed	Appeal/Request Type	Recommendation
16811	BEECHRIDGE LLC 113 S WILMINGTON ST RALEIGH NC 27601	600 UPCHURCH ST APEX	0000252731 2020 Not Paid	\$2,113,478	Exemption Charitable Purpose 105-278.6	Granted for good cause
16813	BEECHRIDGE LLC 113 S WILMINGTON ST RALEIGH NC 27601	641 UPCHURCH ST A, APEX	0000252732 2020 Not Paid	\$2,160,862	Exemption Charitable Purpose 105-278.6	Shown ↓

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M. Kinrade

Marcus Kinrade, Tax Administrator

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Mayor Jacques Gilbert

Department(s): Governing Body

Requested Motion

Motion to appoint Elaine Boyle to the Planning Board to fill the expired term of Beth Godfrey

Approval Recommended?

Yes

Item Details

This would be Ms. Boyle's first term, spanning January 1, 2021 through December 31, 2023, replacing the expired term of Beth Godfrey. Her application expressing interest is attached.

Attachments

- Application



Donna Hosch

From: Cognito Forms <notifications@cognitoforms.com>
Sent: Monday, July 20, 2020 8:38 AM
To: Donna Hosch; Stacie Galloway
Subject: Advisory Board Interest Form - Elaine Boyle

Notice: This message is from an external sender.
Do not click links or open attachments unless you trust the sender, and can verify the content is safe.

Town of Apex

Advisory Board Interest Form

Entry Details

I'M INTERESTED IN SERVING ON...	Planning Board
HOW DID YOU HEAR ABOUT THIS OPPORTUNITY TO SERVE?	Facebook
LEGAL NAME	Elaine Boyle
ADDRESS	1538 Baxter Ridge Ct, Apex, North Carolina 27502
DO YOU LIVE WITHIN THE APEX TOWN LIMITS?	Yes
EMAIL	elaine.boylec21@gmail.com
MOBILE PHONE	(919) 348-7943
CURRENT EMPLOYER	Flagship Healthcare Properties
CURRENT JOB TITLE	VP Leasing and Brokerage

TELL US WHY YOU WOULD LIKE TO SERVE?

I have lived in Apex since 1998 and served In the Apex Peak Academy in 2018. I would love to serve the town its continued growth.

PLEASE LIST ANY EDUCATION, SPECIAL SKILLS, OR EXPERIENCE YOU HAVE THAT WOULD BE USEFUL WHILE CONSIDERING THIS FORM.

N.C. Realtor

IF YOU NOW SERVE, OR HAVE PREVIOUSLY SERVED ON ANY TOWN BOARDS, COMMISSIONS OR COMMITTEES, PLEASE LIST THE COMMITTEES AND DATES SERVED.

No

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Mayor Jacques Gilbert

Department(s): Governing Body

Requested Motion

Motion to reappoint Katie Schaff to the Environmental Advisory Board for a second term, and to appoint Suzanne Mason to a first term

Approval Recommended?

Yes

Item Details

- This would be Katie Schaff's second term serving, her term spanning January 1, 2021 through December 31, 2023.
- This would be Suzanne Mason's first term, spanning January 1, 2021 through December 31, 2023, replacing the expiring term of Laura Duggan. Her application expressing interest is attached.

Attachments

- Suzanne Mason Application



Donna Hosch

From: Cognito Forms <notifications@cognitoforms.com>
Sent: Wednesday, October 30, 2019 8:56 AM
To: Lance Olive; Donna Hosch; Stacie Galloway
Subject: Advisory Board Interest Form - Suzanne Mason

Notice: This message is from an external sender.

Do not click links or open attachments unless you trust the sender, and can verify that the content is safe.

Town of Apex

Advisory Board Interest Form

Entry Details

I'M INTERESTED IN SERVING ON...	Environmental Advisory Board
HOW DID YOU HEAR ABOUT THIS OPPORTUNITY TO SERVE?	Town Website Facebook
LEGAL NAME	Suzanne Mason
ADDRESS	329 Old Mill Village Drive, Apex, North Carolina 27502
DO YOU LIVE WITHIN THE APEX TOWN LIMITS?	Yes
EMAIL	suzanne.c.mason@gmail.com
MOBILE PHONE	(919) 306-9757
CURRENT EMPLOYER	North Carolina Natural Heritage Program
CURRENT JOB TITLE	Conservation Data Manager/NCDOT Project Specialist

TELL US WHY YOU WOULD LIKE TO SERVE?

The reason I would like to serve is because I am passionate about our town's natural resources and our green infrastructure (the forests, the open spaces, the riparian corridors, etc.). I have been a resident of Apex since 2005 and have seen the development that has occurred in the past almost decade and a half. Despite an incredible amount of planning and thought around the other types of infrastructure associated with these development projects, much less attention has been paid to our green infrastructure in that process. Conserving green infrastructure does not require a choice between development and no development but rather thoughtful planning and policies and ordinances that balance preservation of our forests, wetlands, fields, streams, and wildlife with continued growth. I would love the opportunity to share my passions with the Environmental Committee and work towards helping our town literally stay green.

PLEASE LIST ANY EDUCATION, SPECIAL SKILLS, OR EXPERIENCE YOU HAVE THAT WOULD BE USEFUL WHILE CONSIDERING THIS FORM.

I am a botanist by training and for the past 14 years I have worked for the North Carolina Natural Heritage Program, which is a non-regulatory state program responsible for identifying and collecting information about the places that are most important for preserving North Carolina's biodiversity and then helping to facilitate protection of them. As a result, I have had the opportunity to visit some of the state's most amazing natural heritage areas, perform field surveys for many rare species, and work collaboratively with state and federal agencies also engaged in natural resource conservation such as the U.S. Fish and Wildlife Service, the N.C. Plant Conservation Program, and the N.C. Botanical Garden. I also regularly review N.C. Department of Transportation projects for conflicts with natural heritage resources. Finally, over the last five years I've trained over 400 environmental professionals, government staff, and private landowners on how to interpret natural heritage data and how to access it via the Natural Heritage Data Explorer. Most recently I have been giving these trainings as part of the N.C. Wildlife Resources Commission's Green Growth Toolbox workshops.

I have a Master of Science degree in Biology from UNC-Charlotte and for my thesis research I investigated the genetic characteristics of a rare sunflower that is only found in the central part of North Carolina and north-central South Carolina. Because this sunflower is a federally endangered

species, I also focused on how its genetic diversity relates to the policies used in conservation efforts for this species. During graduate school I also helped my now husband capture and track Barred Owls in and around Charlotte, N.C. and evaluated the quality and type of habitats they were using for nesting and foraging for food. I am also a graduate of the Town of Apex's inaugural Peak Academy 2018 class.

Thank-you for your time and consideration!

**IF YOU NOW SERVE, OR HAVE
PREVIOUSLY SERVED ON ANY TOWN
BOARDS, COMMISSIONS OR
COMMITTEES, PLEASE LIST THE
COMMITTEES AND DATES SERVED.**

None.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Sarah Van Every, Senior Planner

Department(s): Planning & Community Development

Requested Motion

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ11 Roberts Road Properties PUD. The applicant, Justin Michela, seeks to rezone approximately 10.54 acres located at 7517 Roberts Road, 2310 Pollard Place, and 2000 Cabin Cove Road (PINs 0733059045, 0733049734, 0733049444) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

Item Details

Attachments

- Vicinity Map
- Application





Rezoning #20CZ11

The Glen at
Green Level
Crossing

White
Oak
Creek

Green Level
High School

Green Level Church Rd

Jester Dr

Fishburn Dr

Fillmore Hall Ln

Crestmont

Cobbleton Way

Braxton Wood Ln

Stonehouse Dr

Roberts Rd

Cabin Cove Rd

Pollard Pl

Gartrell Way

The Pines
at Wake
Crossing

Parlier Dr

Lorelai Ln

Greenmoor

Turling Way

Kanewind Ter

Brincefield Pl

Mt Pisgah Way

Manassas Gap Pl

Katahdin Way

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Submittal Date: 10/1/2020
Check # _____

Project Name:	Roberts Road Properties PUD
Address(es):	7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD
PIN(s)	0733-05-9045, 0733-04-9734, 0733-04-9444

Acreage: 10.54

Current Zoning: RR Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Medium Density Residential

Requested 2045 LUM Designation: _____

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: _____ Acreage: _____

Area proposed as non-residential development: Acreage:

Percent of mixed use area proposed as non-residential: Percent:

Name:	Justin Michela			
Address:	714 Main Street			
City:	Hudson	State:	MA	Zip: 01749
Phone:	978-875-0821	E-mail:	justin@themichelas.org	

Name: See Attached List

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Name:	Jones & Crossen Engineering, PLLC				
Address:	PO Box 1062				
City:	Apex	State:	NC	Zip:	27502
Phone:	919-387-1174	E-mail:	patrick@jonescrossen.com		

Other contacts: _____

Owner	Mail Address 1	Mail Address 2	PIN	SITE ADDRESS
MATTHEW & MICHELLE MICHELA	7517 ROBERTS RD	CARY NC 27519-8920	0733059045	7517 ROBERTS RD
JUSTIN & MARYANN MICHELA AND				
MATTHEW & MICHELLE MICHELA	2000 CABIN COVE RD	CARY NC 27519-8919	0733049734	2310 POLLARD PL
JUSTIN & MARYANN MICHELA	2000 CABIN COVE RD	CARY NC 27519-8966	0733049444	2000 CABIN COVE RD

Smith & Smith Surveyors, P.A.
P.O. Box 457
Apex, N.C. 27502
(919) 362-7111
Firm License No. C-0155

Lying and being in White Oak Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at an existing iron pipe on the southern 60' right of way of Roberts Road (NCSR 1608), Herman Wayne Roberts' northeast corner (D.B. 3814, PG. 154) located North $79^{\circ} 50' 43''$ East, 90.62 feet from a 6 inch nail set bearing NAD 83 (2011) NC grid coordinate values of North 735,205.28 US survey feet, East 2,031,105.04 US survey feet; thence South $00^{\circ} 51' 41''$ West, 906.78 feet to an existing iron pipe; thence North $89^{\circ} 10' 59''$ West, 497.98 feet to an existing iron pipe; thence North $00^{\circ} 31' 12''$ East, 946.86 feet to an existing iron pipe; thence South $78^{\circ} 40' 50''$ East, 125.30 feet to an existing iron pipe; thence South $82^{\circ} 49' 27''$ East, 124.34 feet to an iron pipe set; thence South $88^{\circ} 24' 41''$ East, 256.84 feet to the BEGINNING, containing 10.5432 total acres more or less as shown on a map prepared by Smith & Smith Surveyors, P.A. entitled "Annexation Map for the Town Of Apex, Jones & Cnossen Engineering, PLLC", dated September 22, 2020.

PRELIMINARY

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERSApplication #: 20CZ11Submittal Date: 10/1/2020

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	See Attached List	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
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15.		

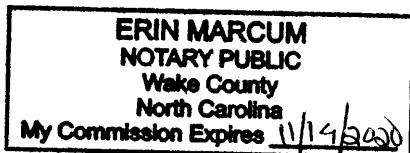
I, PATRICK L. KIERNAN, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

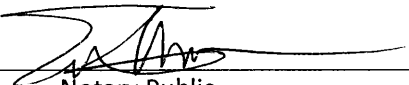
Date: 9/29/20By: 

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 29th day of September, 2020.

SEAL




Notary Public
Erin Marcum
Print Name

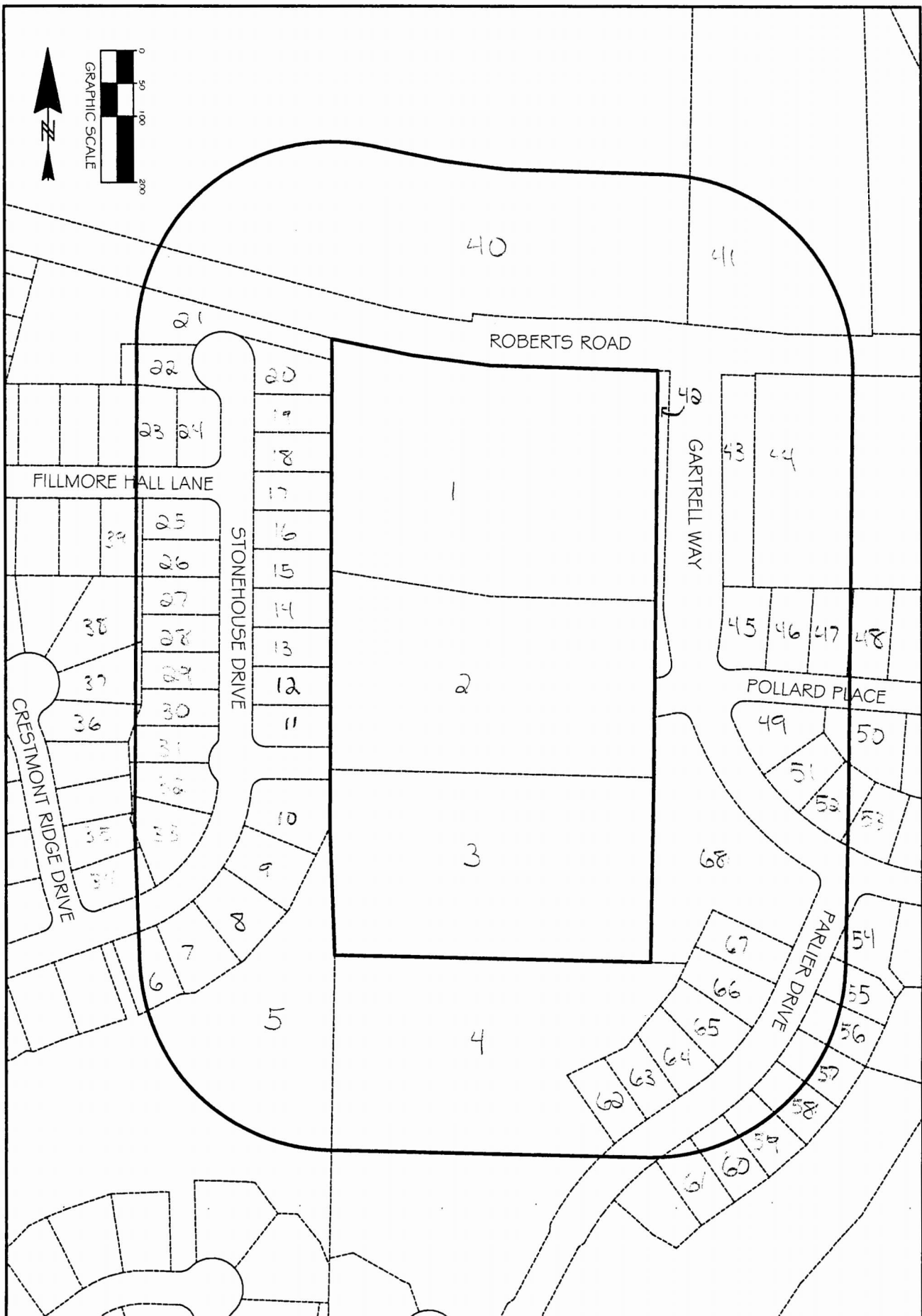
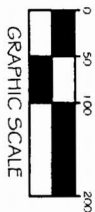
My Commission Expires: November 19, 2020

2050 Roberts Rd Properties Adjacent Property Owners

	A	B	C	D	E	F
1	Parcel	Owner	Mail Address 1	Mail Address 2	Mail Address 3	PIN
2	NA	Town of Apex	Planning Department	PO Box 250	Apex NC 27502	
3	1	HERMAN ROBERTS	7517 ROBERTS RD	CARY NC 27519-8920		0733059045
4	2	BRIAN & JULIE ROBERTS	7421 ROBERTS RD	CARY NC 27519-8919		0733049734
5	3	MICHAEL & CATHERINE ROBERTS	2000 CABIN COVE RD	CARY NC 27519-8966		0733049444
6	4	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733049008
7	5	CRESTMONT OWNERS ASSOCIATION INC	CHARLESTON MANAGEMENT CORPORATION	PO BOX 97243	RALEIGH NC 27624-7243	0723948119
8	6	NATARAJ DASGUPTA & SURAIYA NAHAR	363 STONEHOUSE DR	APEX NC 27523-7127		0733044300
9	7	SUNIL KUMAR & RASHMI MARUVADA	359 STONEHOUSE DR	APEX NC 27523-7127		0733044373
10	8	SRIKANTH & SWARNALATHA CHERUKURI	355 STONEHOUSE DR	APEX NC 27523-7127		0733045348
11	9	DEEPTI KRISHNAKUMAR & ARUNKUMAR VIJAYAKUMAR	351 STONEHOUSE DR	APEX NC 27523-7127		0733045495
12	10	AJIT & DEEPTI DABADE	347 STONEHOUSE DR	APEX NC 27523-7127		0733046524
13	11	JAYARAM MUMMADI & ANITHA GUDDHETI	339 STONEHOUSE DR	APEX NC 27523-7127		0733046627
14	12	NEELKAMAL DOPPALAPUDI & GNANALAKSHMI SAISUDHA KATRAGADDA	335 STONEHOUSE DR	APEX NC 27523-7127		0733046723
15	13	LINGMING HOU & WEIHONG CAO	331 STONEHOUSE DR	APEX NC 27523-7127		0733046729
16	14	MINGLIANG WEI & CHUNHUA YANG	327 STONEHOUSE DR	APEX NC 27523-7127		0733046825
17	15	JEFFREY & MEGHAN RICHMOND	323 STONEHOUSE DR	APEX NC 27523-7127		0733046921
18	16	CHAKRADHAR REDDY CHEEMARLA & DAMODHAR PRATHIBA REDDY CHARLA	319 STONEHOUSE DR	APEX NC 27523-7127		0733046927
19	17	SHANNON & WILLIAM ALMAND IV	315 STONEHOUSE DR	APEX NC 27523-7127		0733056023
20	18	MIKLOS NAGY & ILDIKO HORVATH	311 STONEHOUSE DR	APEX NC 27523-7127		0733056039
21	19	SHIVA REDDY BUSIREDDY & RASHMI RAJKUMAR WADHWA	307 STONEHOUSE DR	APEX NC 27523-7127		0733056135
22	20	UMESH KEDLA & SAPNA GUDDEKOPPA	303 STONEHOUSE DR	APEX NC 27523-7127		0733056222
23	21	CRESTMONT OWNERS ASSOCIATION INC	812 SALEM WOODS DR STE 202	RALEIGH NC 27615-3346		0733053268
24	22	VARUN KUMAR SINGH & KUMUDINI TEWARI	302 STONEHOUSE DR	APEX NC 27523-7127		0733054222
25	23	CELESTE & ORLANDO DIZON JR	2304 FILLMORE HALL LN	APEX NC 27523-7126		0733054123
26	24	BAIHAN YU & JING PAN	2300 FILLMORE HALL LN	APEX NC 27523-7126		0733054183
27	25	PRANAVI BUKKA & PRAVEEN KUMAR KONALA	318 STONEHOUSE DR	APEX NC 27523-7127		0733044959
28	26	SUNIL KUMAR SINGH RAMBRICHH & SNEHLATA SINGH	322 STONEHOUSE DR	APEX NC 27523-7127		0733044953
29	27	JAWAHAR & SMITHA RUDDARRAJU	326 STONEHOUSE DR	APEX NC 27523-7127		0733044857
30	28	NAGARJUNA REDDY CHINTA & SIRISHA SINGASANI	330 STONEHOUSE DR	APEX NC 27523-7127		0733044851
31	29	KRISHNAM RAJU & LAKSHMI PENUMATCHA	334 STONEHOUSE DR	APEX NC 27523-7127		0733044756
32	30	SRIKANTH MAKINENI & CHANDANA BUJINGA TUMMALA	338 STONEHOUSE DR	APEX NC 27523-7127		0733044750
33	31	MEENAKSHI SUNDARAM RAMANATHAN & GEETHA MEENAKSHI SUNDARAM	342 STONEHOUSE DR	APEX NC 27523-7127		0733044644
34	32	DANIEL & JESSICA THORN	346 STONEHOUSE DR	APEX NC 27523-7127		0733044548
35	33	IAN & MA FATIMA GOMEZ	350 STONEHOUSE DR	APEX NC 27523-7127		0733044530
36	34	RAJESH & MANASA NADIPALLI	267 CRESTMONT RIDGE DR	APEX NC 27523-7119		0733043453
37	35	PRANAB & PUJA SHRESTHA	263 CRESTMONT RIDGE DR	APEX NC 27523-7119		0733043439
38	36	TAO FENG & JING CHAI	2305 BRAXTON WOOD LN	APEX NC 27523-7128		0733043618
39	37	RAMASAMEERA PALAVALI & SIVANAGARJUNA SANIVARAPU	2301 BRAXTON WOOD LN	APEX NC 27523-7128		0733043734
40	38	ADAM & STACEY LISI	2300 BRAXTON WOOD LN	APEX NC 27523-7128		0733043833
41	39	CHINAR KULKARNI & SANUJA DABADE	2307 FILLMORE HALL LN	APEX NC 27523-7126		0733043966
42	40	WAKE CNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD	RALEIGH NC 27610-4145	0733061465
43	41	121 LENNOX LLC	SMULTRON LP	1892 BLUE JAY PT	APEX NC 27502-9711	0733153781
44	42	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733141997
45	43	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733153015
46	44	AMANDALEE2 LLC	6410 MCCRIMMON PKWY	MORRISVILLE NC 27560-8136		0733146978
47	45	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733143822
48	46	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733143892
49	47	HYUNSOOK CHAE & IL WON	2218 POLLARD PL	CARY NC 27519-8963		0733144851
50	48	JIN S & YOUNG LEE	2214 POLLARD PL	CARY NC 27519-8963		0733145811

2050 Roberts Rd Properties Adjacent Property Owners

	A	B	C	D	E	F
51	49	CHIRAG A SAXENA & PUJITA PATNI	251 GARTRELL WAY	CARY NC 27519-8962		0733143676
52	50	JAVEEDA MIYA & NURUS SABA	2215 POLLARD PL	CARY NC 27519-8963		0733145614
53	51	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733144610
54	52	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733144565
55	53	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733145522
56	54	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733145314
57	55	HAN ZHU & RUI WANG	309 PARLIER DR	CARY NC 27519-8964		0733144296
58	56	DAOYU WANG & QINGFANG LIN	313 PARLIER DR	CARY NC 27519-8964		0733144270
59	57	MADHUSUDHAN BELLAMKONDA & USHA ANNAMANI	317 PARLIER DR	CARY NC 27519-8964		0733144145
60	58	ELDHOSSE KURIAN THATTARATH & CAROLINE THOMAS	321 PARLIER DR	CARY NC 27519-8964		0733144009
61	59	NARENDER & JYOTI RAO YELLANKI	325 PARLIER DR	CARY NC 27519-8964		0733143054
62	60	LALIT GOEL & ANUBHA GUPTA	329 PARLIER DR	CARY NC 27519-8964		0733143001
63	61	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733132947
64	62	BONG JIN YOUM & HAEJA KIM	336 PARLIER DR	CARY NC 27519-8964		0733141110
65	63	KAI-DI & CHENG-KUO CHI	332 PARLIER DR	CARY NC 27519-8964		0733141163
66	64	ALI QAMAR & MADIHA ALI	326 PARLIER DR	CARY NC 27519-8964		0733142117
67	65	SARAH YONGMEI XU & DONG XIANG	7 RANDOLPH CIR	WESTFORD MA 01886-2595		0733142261
68	66	CHANDRA SEKHAR VELIGETI BHASKARA & ANUSHA KARYAMPUDI	314 PARLIER DR	CARY NC 27519-8964		0733142297
69	67	YANG LI WU & YU FANG SHANG	310 PARLIER DR	CARY NC 27519-8964		0733143323
70	68	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733142477
71	69	NIKITA SWAPNIL PATIL & SWAPNIL KHANDRAO PATIL	2308 FILLMORE HALL LANE	APEX, NC 27523-7126		0733053163
72						
73						



7517 ROBERTS ROAD, 2310 POLLARD PLACE,
& 2000 CABIN COVE ROAD

SEE THE SURVEY FOR
ADDITIONAL
NOTES AND
CONDITIONS
GOVERNING THE
USE OF THIS
SURVEY



Jones & Crossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Justin & Maryann Michela _____ is the owner* of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☐ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 2000 Cabin Cove Road _____

The agent for this project is: Jones & Crossen Engineering, PLLC _____

☐ I am the owner of the property and will be acting as my own agent

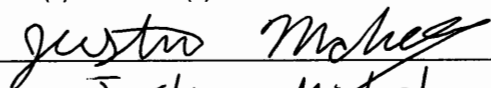
Agent Name: Patrick Kiernan _____

Address: 221 N. Salem St, Suite 001, Apex NC 27502 _____

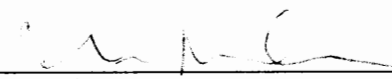
Telephone Number: 919-387-1174 _____

E-Mail Address: patrick@jonescrossen.com _____

Signature(s) of Owner(s)*


Justin Michela
Type or print name

12/28/2020
Date


Maryann Michela
Type or print name

12/28/2020
Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, Justin & Maryann Michela (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 2000 Cabin Cove Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/18/2020, and recorded in the Wake County Register of Deeds Office on 11/30/2020, in Book 018213 Page 01641-01642.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 11/18/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 11/18/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

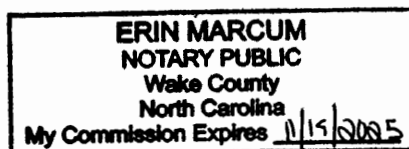
This the 28 day of December, 2020.

Justin Michela (seal)
Justin Michela Maryann Michela
 Type or print name

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Justin's Maryann Michela Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's drivers licenses, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

[Signature]
 Notary Public

State of North Carolina

My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

BEING all of Lot 6, containing 3.228 acres, as shown on map entitled "Recombination and Subdivision Map of Herman Wayne Roberts Property", dated August 25, 1996, by Kenneth Close, Inc., Land Surveying, and recorded in Book of Maps 1997, Page 1624, Wake County Registry, reference to which is hereby made for greater certainty of description.

TOGETHER WITH an appurtenant perpetual easement and right of ingress and egress upon and over the 30-foot private access easement and turn around shown on the above referenced map as Cabin Cove Road extending from said property to S.R. 1608 [Roberts Road].

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 7694, Page 597, Wake County Registry.

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Justin & Maryann Michela and Matthew & Michelle Michela

is the owner* of the property for which the attached

application is being submitted:

- ☐ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☐ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 2310 Pollard Place

The agent for this project is: Jones & Crossen Engineering, PLLC

☐ I am the owner of the property and will be acting as my own agent

Agent Name: Patrick Kiernan

Address: 221 N . Salem St, Suite 001, Apex NC 27502

Telephone Number: 919-387-1174

E-Mail Address: patrick@jonescrossen.com

Signature(s) of Owner(s)*

Justin Michela Maryann Michela
Justin Michela Maryann Michela
Type or print name

12/28/2020
Date

Matthew Michela Michelle Michela
MATTHEW MICHELA MICHELLE MICHELA
Type or print name

12/28/2020
Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, Justin & Maryann Michela and Matthew & Michelle Michela (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

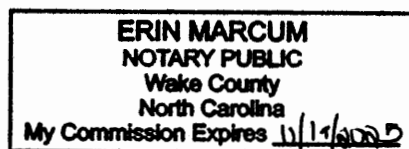
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 2310 Pollard Place and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/18/2020, and recorded in the Wake County Register of Deeds Office on 11/30/2020, in Book 018213 Page 01665-01666.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 11/18/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 11/18/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 28 day of December, 2020.

Justin Michela Maryann Michela Matthew Michela Michelle Michela
Justin Michela Maryann Michela Matthew Michela MICHELLE MICHELA
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Justin, Maryann Michela and Matthew & Michelle Michela, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's drivers licenses, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

[Signature]
Notary Public
State of North Carolina
My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

BEING all of Lot 2, containing 3.228 acres including the Cabin Cove Road access easement, Exempt Plat Herman Wayne Roberts as recording in Book of Maps 2017, Page 2026, Wake County Registry.

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Matthew & Michelle Michela _____ is the owner* of the property for which the attached application is being submitted:

- ☐ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☐ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 7517 Roberts Road

The agent for this project is: Jones & Crossen Engineering, PLLC

☐ I am the owner of the property and will be acting as my own agent

Agent Name: Patrick Kiernan

Address: 221 N. Salem St, Suite 001, Apex NC 27502

Telephone Number: 919-387-1174

E-Mail Address: patrick@jonescrossen.com

Signature(s) of Owner(s)*

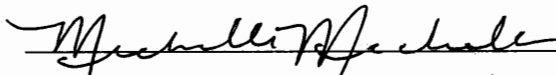


MATTHEW MICHELA

Type or print name

12/28/20

Date



MICHELLE MICHELA

Type or print name

12/28/20

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, MATTHEW MICHELA + Michelle Michela (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 7517 Roberts Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/18/2020, and recorded in the Wake County Register of Deeds Office on 11/30/2020, in Book 018213 Page 01679-01680.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 11/18/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 11/18/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 28th day of December, 2020.

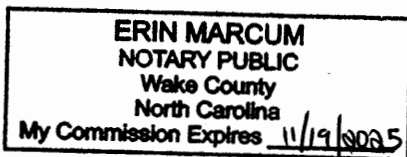
MATTHEW MICHELA MICHELLE MICHELA

(seal)

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that Matthew's Michelle Michela, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's driver licenses, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[NOTARY SEAL]

[Signature]

Notary Public

State of North Carolina

My Commission Expires: November 19, 2025

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

BEING all of Lot 1 of that certain map entitled "Herman Wayne Roberts" dated November 16, 2016, surveyed by Smith and Smith surveyors and recorded in Book of Maps 2017, Page 2026, Wake County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 3814, Page 154 and Deed Book 3673, Page 127, Wake County Registry.



Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net

Developer Company Information

Company Name	
Company Phone Number	
Developer Representative Name	Justin Michela
Developer Representative Phone Number	978-875-0821
Developer Representative Email	justin@themichelas.org

New Residential Subdivision Information

Date of Application for Subdivision	October 01, 2020
City, Town or Wake County Jurisdiction	Apex
Name of Subdivision	TBD
Address of Subdivision (if unknown enter nearest cross streets)	7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD
REID(s)	0147821, 0450952, 0235566
PIN(s)	0733-05-9045, 0733-04-9734, 0733-04-9444

Projected Dates Information

Subdivision Completion Date	2024
Subdivision Projected First Occupancy Date	2022

Lot by Lot Development Information

Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	40					10	30	1800	3500	\$275K	\$600K	2022	5	2023	20	2024	15
Townhomes	10				5	5		1200	2100	\$180K	\$320K	2022	5	2023	5		
Condos																	
Apartments																	
Other																	

Revised 08/10/2018

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

September 18, 2020

Date

Dear Neighbor:

You are invited to an electronic neighborhood meeting to review and discuss the development proposal at

7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD

0733-05-9045, 0733-04-9734, 0733-04-9444

Address(es)

PIN(s)

in accordance with the Town of Apex Electronic Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, you may contact the applicant before or after the meeting is held. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org. If at all feasible given emergency declarations, limits on in-person gatherings, and social distancing, an additional in-person Neighborhood Meeting may be scheduled and held prior to a public hearing or staff decision on the application.

An Electronic Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

The parcels are currently zoned Rural Residential (RR). We are proposing a change in zoning to Planned Unit

Development Conditional District (PUD-CZ). This will allow for a mix of primarily single family homes and

a small number of townhomes. The parcels will remain Medium Density Residential for the Land Use.

Estimated submittal date: October 01, 2020

MEETING INFORMATION:

Property Owner(s) name(s):

HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s):

Jones & Cnossen Engineering, PLLC

Contact information (email/phone):

patrick@jonescnossen.com; 919-387-1174

Electronic Meeting invitation/call in info:

See enclosed instructions

Date of meeting**:

September 28, 2020

Time of meeting**:

6:00 pm - 8:00 pm

MEETING AGENDA TIMES:

Welcome: 6:00 pm

Project Presentation: 6:05 pm

Question & Answer: 6:30 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

Zoom Meeting Details - Roberts Rd Properties Rezoning

When: **Sep 28, 2020 06:00 PM Eastern Time** (US and Canada)

Register in advance for this meeting:

[https://zoom.us/meeting/register/tJwvceqvrDspHdLp8ExGEy06GbEh8Lo9ky1o](https://zoom.us/join/zoom/register/tJwvceqvrDspHdLp8ExGEy06GbEh8Lo9ky1o)

The Meeting Registration form will request your First and Last Name, email address and Address to help us with attendance at the meeting.

After registering, you will receive a confirmation email containing information about joining the meeting.

If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Roberts Road Properties Zoning: RR

Location: 7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD

Property PIN(s): 0733-05-9045, 0733-04-9734, 0733-04-9444 Acreage/Square Feet: 10.48

Property Owner: HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Address: 7517 ROBERTS RD; 7421 ROBERTS RD; 2000 CABIN COVE RD

City: Cary State: NC Zip: 27519

Phone: _____ Email: _____

Developer: Justin Michela

Address: 714 Main Street

City: Hudson State: MA Zip: 01749

Phone: _____ Fax: _____ Email: _____

Engineer: Jones & Cossen Engineering, PLLC - Patrick Kiernan

Address: PO Box 1062

City: Apex State: NC Zip: 27502

Phone: 919-387-1174 Fax: 919-387-3375 Email: patrick@jonescossen.com

Builder (if known): _____

Address: _____

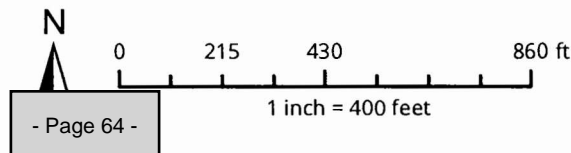
City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

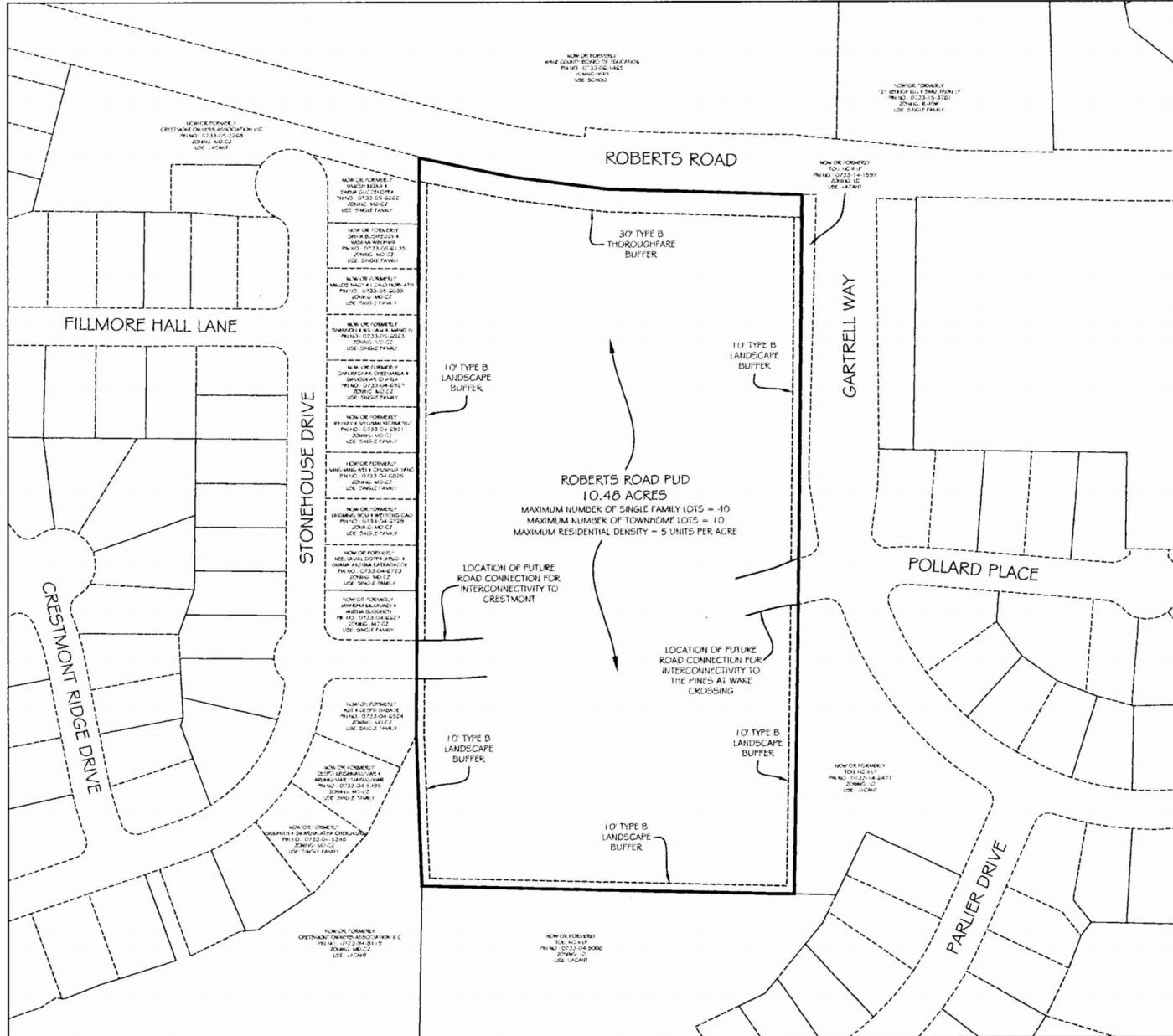
Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Stan Fortier, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-1166
James Gregg, Utility Engineer (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



TOWN REQUIRED PUD NOTES:

1. PROTECTION FENCING MUST BE PLACED AWAY FROM ANY PLANTED TREES OR PLANTS FOR EACH INCH OF TREE CALIPER. PROTECTION FENCING MUST BE PLACED AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED RESOURCE: CONSERVATION AREA, SLOPES BUT NOT LIMITED TO HISTORIC BUILDINGS AND STRUCTURES, WETLANDS, AND PONDS. PROTECTION FENCING MUST BE PLACED ALONG THE OUTSIDE LINE OF THE 100-FT. FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER. ADDITIONAL PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER. SUCH FENCING MAY INCLUDE BUT IS NOT LIMITED TO COMMON PROPERTY LINES ON NEAR PUBLIC AREAS (SIDEWALKS, ETC.). SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS SUCH AS BUT NOT LIMITED TO PLAY FIELDS AND USUALLY TRAILS AND OTHER TYPE ACTIVITIES ASSOCIATED WITH THEM: TRASH CONTAINERS, SIGNS, ETC. MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APX STANDARD SPECIFICATIONS AND CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APX PUBLIC AND RECREATION DEPARTMENT.
2. ALL REQUIRED SITE ELEMENTS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
3. NO SIGNS ARE APPROVED AS PART OF A PUD-02 PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

PLANNING NOTES:

1. WITH THE SUB OF THE PUD AND THE PROPOSED DESIGN, THIS SITE DOES NOT REQUIRE A TRANSFORMATION IMPACT ANALYSIS.
2. FUTURE PUBLIC ROADWAY CONNECTIONS ARE SHOWN TO DEMONSTRATE CONNECTIVITY FOR THE ENTIRE PROJECT BUT SPECIAL LAYOUTING WILL BE SHOWN AT THE TIME OF MASTER PLAN APPROVAL.
3. THE MAINTENANCE OF AREA LANDSCAPE BUFFERS, COMMON AREAS AND THE SIDEWALK DEVICES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
4. ALL INTERNAL PUBLIC STREETS SHALL HAVE 50 FEET OF RIGHT-OF-WAY, 25 FEET OF CURB AND ASPHALT WITH SIDEWALKS ON BOTH SIDES OF THE STREET UNLESS SPECIFIED OTHERWISE.
5. THIS PROJECT WILL BE DEVELOPED IN ONE PHASE.



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

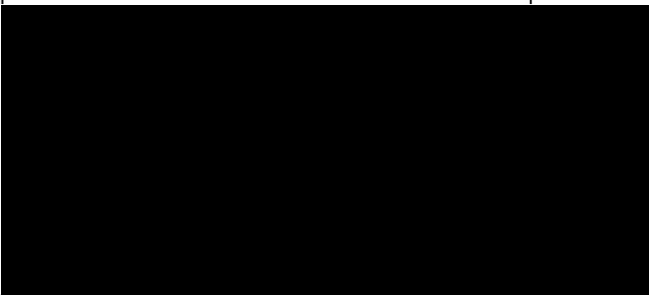
Meeting Format: Zoom meeting

Date of meeting: September 28, 2020 Time of meeting: 6:00 pm - 8:00 pm

Property Owner(s) name(s): HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s): Jones & Crossen Engineering, PLLC

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Brian Fruits	375 Stonehouse Dr.			
2.	Dong Xiang	320 Parlier Dr.			
3.	Justin Michela				
4.	Laura Michela				
5.	Matt Minor				
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s): Jones & Cossen Engineering, PLLC

Contact information (email/phone): patrick@jonescossen.com; 919-387-1174

Meeting Format: Zoom meeting

Date of meeting: September 28, 2020 Time of meeting: 6:00 pm - 8:00 pm

Please summarize the questions/comments and your response from the Electronic Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

We reviewed the development process/timeline and the Preliminary PUD layout including connecting streets, right of way, and buffers.

Applicant's Response:

We asked for questions from the meeting attendees and there were no questions.

If attendees wanted to receive email updates we requested that they let us know using the chat feature. One attendee requested updates.

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING AN ELECTRONIC NEIGHBORHOOD MEETING AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Patrick Kiernan, do hereby declare as follows:

Print Name

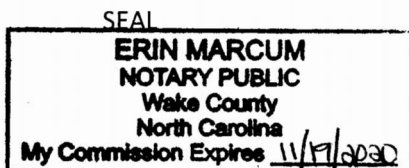
1. I have conducted an Electronic Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.
3. The meeting was conducted via Zoom meeting (indicate format of meeting) on September 28, 2020 (date) from 6:00 pm (start time) to 8:00 pm (end time).
4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

9/29/20
Date

By: Patrick Kiernan

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 29th day of September, 2020.



Erin Marcum
Notary Public
Erin Marcum
Print Name

My Commission Expires: November 19, 2020



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

October 13, 2020

NIKITA SWAPNIL PATIL & SWAPNIL KHANDERAO PATIL
2308 FILLMORE HALL LANE
APEX, NC 27523-7126

Dear Neighbor,

We conducted a Neighborhood Meeting on September 28th regarding a Rezoning for several properties on Roberts Road that are within 300' of your property. Your names and address were inadvertently missed in our mailing of the notices for that meeting. We are enclosing the notification that was mailed for that previous meeting for your reference. We have scheduled an additional Zoom meeting on October 29th at 6 pm, so that we can ensure that you have an opportunity to hear about the project and ask us any questions that you may have. The meeting details are enclosed.

You are always welcome to contact us by phone or email with any questions, if you would prefer. As well, if you would like to receive future updates regarding the project or to receive a copy of the project documents that were submitted to the Town, we can send those by email. We would need for you to call our office or email us to provide your email address. The project information is also publicly accessible on the Town of Apex website (www.apexnc.org) by clicking on the link for the "Interactive Development Map" if that is more convenient.

I can be reached at (919) 387-1174 or by email at patrick@jonescnossen.com with any questions.

Sincerely,

Patrick Kiernan, P.E.

Enclosures



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

Zoom Meeting Details - Roberts Rd Properties Rezoning

When: Oct 29, 2020 06:00 PM Eastern Time (US and Canada)

Register in advance for this meeting:

https://zoom.us/meeting/register/tJcsfuygrz4vHNQYwXHctvK5ai8D1Wd-eGR_

The Meeting Registration form will request your First and Last Name, email address and Address to help us with attendance at the meeting.

After registering, you will receive a confirmation email containing information about joining the meeting.

If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office.

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

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September 18, 2020

Date

Dear Neighbor:

You are invited to an electronic neighborhood meeting to review and discuss the development proposal at

7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD 0733-05-9045, 0733-04-9734, 0733-04-9444

Address(es)

PIN(s)

in accordance with the Town of Apex Electronic Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, you may contact the applicant before or after the meeting is held. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org. If at all feasible given emergency declarations, limits on in-person gatherings, and social distancing, an additional in-person Neighborhood Meeting may be scheduled and held prior to a public hearing or staff decision on the application.

An Electronic Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

The parcels are currently zoned Rural Residential (RR). We are proposing a change in zoning to Planned Unit Development Conditional District (PUD-CZ). This will allow for a mix of primarily single family homes and a small number of townhomes. The parcels will remain Medium Density Residential for the Land Use.

Estimated submittal date: October 01, 2020

MEETING INFORMATION:

Property Owner(s) name(s): HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s): Jones & Cnossen Engineering, PLLC

Contact information (email/phone): patrick@jonescnossen.com; 919-387-1174

Electronic Meeting invitation/call in info: See enclosed instructions

Date of meeting**: September 28, 2020

Time of meeting**: 6:00 pm - 8:00 pm

MEETING AGENDA TIMES:

Welcome: 6:00 pm Project Presentation: 6:05 pm Question & Answer: 6:30 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.



Jones & Cnossen
ENGINEERING, PLLC

Civil Engineering | Construction Management | Land Planning

221 N. SALEM ST, SUITE 001
PO BOX 1062
APEX, NC 27502
Office: 919-387-1174
Fax: 919-387-3375
www.jonescnossen.com

Zoom Meeting Details - Roberts Rd Properties Rezoning

When: **Sep 28, 2020 06:00 PM Eastern Time (US and Canada)**

Register in advance for this meeting:

<https://zoom.us/meeting/register/tJwwceqvrDspHdLp8ExGEy06GbEh8Lo9ky1o>

The Meeting Registration form will request your First and Last Name, email address and Address to help us with attendance at the meeting.

After registering, you will receive a confirmation email containing information about joining the meeting.

If there are any questions regarding the upcoming meeting or you experience any issues registering for the meeting, please contact our office.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Roberts Road Properties Zoning: RR
 Location: 7517 ROBERTS RD, 2310 POLLARD PL, 2000 CABIN COVE RD
 Property PIN(s): 0733-05-9045, 0733-04-9734, 0733-04-9444 Acreage/Square Feet: 10.48

Property Owner: HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS
 Address: 7517 ROBERTS RD; 7421 ROBERTS RD; 2000 CABIN COVE RD
 City: Cary State: NC Zip: 27519
 Phone: _____ Email: _____

Developer: Justin Michela
 Address: 714 Main Street
 City: Hudson State: MA Zip: 01749
 Phone: _____ Fax: _____ Email: _____

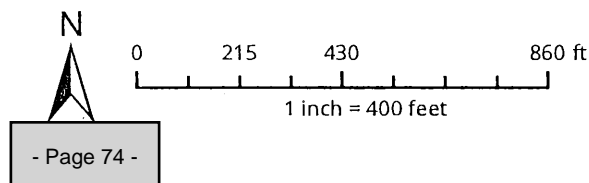
Engineer: Jones & Cnossen Engineering, PLLC - Patrick Kiernan
 Address: PO Box 1062
 City: Apex State: NC Zip: 27502
 Phone: 919-387-1174 Fax: 919-387-3375 Email: patrick@jonescnossen.com

Builder (if known): _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Stan Fortier, Senior Engineer (Stormwater, Sedimentation & Erosion Control)	(919) 249-1166
James Gregg, Utility Engineer (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



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ELECTRONIC NEIGHBORHOOD MEETING ATTENDANCE SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Format: Zoom meeting

Date of meeting: October 29, 2020 Time of meeting: 6:00 pm - 8:00 pm

Property Owner(s) name(s): HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s): Jones & Crossen Engineering, PLLC

Please list Electronic Neighborhood Meeting Attendees who provided their name and/or contact information either during the meeting or via phone/email before or after the meeting.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	No one attended				
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE ELECTRONIC NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): HERMAN ROBERTS; BRIAN & JULIE ROBERTS; MICHAEL & CATHERINE ROBERTS

Applicant(s): Jones & Crossen Engineering, PLLC

Contact information (email/phone): patrick@jonescrossen.com; 919-387-1174

Meeting Format: Zoom meeting

Date of meeting: October 29, 2020 Time of meeting: 6:00 pm - 8:00 pm

Please summarize the questions/comments and your response from the Electronic Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

No one attended.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING AN ELECTRONIC NEIGHBORHOOD MEETING AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Patrick Kiernan, do hereby declare as follows:

Print Name

1. I have conducted an Electronic Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.
3. The meeting was conducted via Zoom meeting (indicate format of meeting) on October 29, 2020 (date) from 6:00 pm (start time) to 8:00 pm (end time).
4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

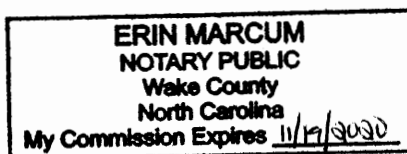
10/30/20
Date

By: Patrick L Kiernan

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Erin Marcum, a Notary Public for the above State and County, on this the 30th day of October, 2020.

SEAL



Erin Marcum
Notary Public
Print Name

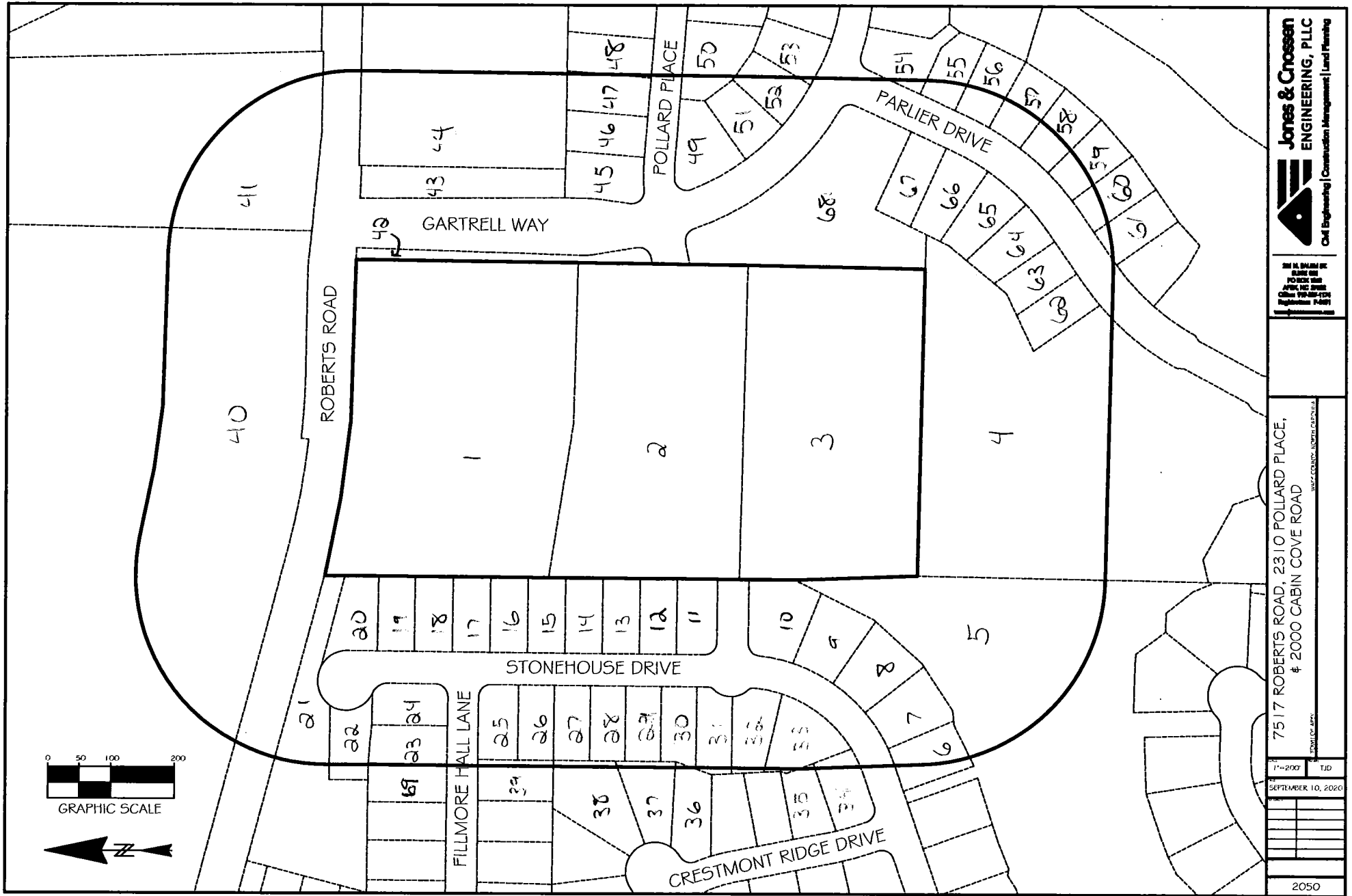
My Commission Expires: November 19, 2020

2050 Roberts Rd Properties Adjacent Property Owners

	A	B	C	D	E	F
1	Parcel	Owner	Mail Address 1	Mail Address 2	Mail Address 3	PIN
2	NA	Town of Apex	Planning Department	PO Box 250	Apex NC 27502	
3	1	HERMAN ROBERTS	7517 ROBERTS RD	CARY NC 27519-8920		0733059045
4	2	BRIAN & JULIE ROBERTS	7421 ROBERTS RD	CARY NC 27519-8919		0733049734
5	3	MICHAEL & CATHERINE ROBERTS	2000 CABIN COVE RD	CARY NC 27519-8966		0733049444
6	4	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733049008
7	5	CRESTMONT OWNERS ASSOCIATION INC	CHARLESTON MANAGEMENT CORPORATION	PO BOX 97243	RALEIGH NC 27624-7243	0723948119
8	6	NATARAJ DASGUPTA & SURAIYA NAHAR	363 STONEHOUSE DR	APEX NC 27523-7127		0733044300
9	7	SUNIL KUMAR & RASHMI MARUVADA	359 STONEHOUSE DR	APEX NC 27523-7127		0733044373
10	8	SRIKANTH & SWARNALATHA CHERUKURI	355 STONEHOUSE DR	APEX NC 27523-7127		0733045348
11	9	DEEPTI KRISHNAKUMAR & ARUNKUMAR VIJAYAKUMAR	351 STONEHOUSE DR	APEX NC 27523-7127		0733045495
12	10	AJIT & DEEPTI DABADE	347 STONEHOUSE DR	APEX NC 27523-7127		0733046524
13	11	JAYARAM MUMMADI & ANITHA GUDDHETI	339 STONEHOUSE DR	APEX NC 27523-7127		0733046627
14	12	NEELKAMAL DOPPALAPUDI & GNANALAKSHMI SAISUDHA KATRAGADDA	335 STONEHOUSE DR	APEX NC 27523-7127		0733046723
15	13	LINGMING HOU & WEIHONG CAO	331 STONEHOUSE DR	APEX NC 27523-7127		0733046729
16	14	MINGLIANG WEI & CHUNHUA YANG	327 STONEHOUSE DR	APEX NC 27523-7127		0733046825
17	15	JEFFREY & MEGHAN RICHMOND	323 STONEHOUSE DR	APEX NC 27523-7127		0733046921
18	16	CHAKRADHAR REDDY CHEEMARLA & DAMODHAR PRATHIBA REDDY CHARLA	319 STONEHOUSE DR	APEX NC 27523-7127		0733046927
19	17	SHANNON & WILLIAM ALMAND IV	315 STONEHOUSE DR	APEX NC 27523-7127		0733056023
20	18	MIKLOS NAGY & ILDIKO HORVATH	311 STONEHOUSE DR	APEX NC 27523-7127		0733056039
21	19	SHIVA REDDY BUSIREDDY & RASHMI RAJKUMAR WADHWA	307 STONEHOUSE DR	APEX NC 27523-7127		0733056135
22	20	UMESH KEDLA & SAPNA GUDDEKOPPA	303 STONEHOUSE DR	APEX NC 27523-7127		0733056222
23	21	CRESTMONT OWNERS ASSOCIATION INC	812 SALEM WOODS DR STE 202	RALEIGH NC 27615-3346		0733053268
24	22	VARUN KUMAR SINGH & KUMUDINI TEWARI	302 STONEHOUSE DR	APEX NC 27523-7127		0733054222
25	23	CELESTE & ORLANDO DIZON JR	2304 FILLMORE HALL LN	APEX NC 27523-7126		0733054123
26	24	BAIHAN YU & JING PAN	2300 FILLMORE HALL LN	APEX NC 27523-7126		0733054183
27	25	PRANAVI BUKKA & PRAVEEN KUMAR KONALA	318 STONEHOUSE DR	APEX NC 27523-7127		0733044959
28	26	SUNIL KUMAR SINGH RAMBRICHH & SNEHLATA SINGH	322 STONEHOUSE DR	APEX NC 27523-7127		0733044953
29	27	JAWAHAR & SMITHA RUDDARRAJU	326 STONEHOUSE DR	APEX NC 27523-7127		0733044857
30	28	NAGARJUNA REDDY CHINTA & SIRISHA SINGASANI	330 STONEHOUSE DR	APEX NC 27523-7127		0733044851
31	29	KRISHNAM RAJU & LAKSHMI PENUMATCHA	334 STONEHOUSE DR	APEX NC 27523-7127		0733044756
32	30	SRIKANTH MAKINENI & CHANDANA BUJINGA TUMMALA	338 STONEHOUSE DR	APEX NC 27523-7127		0733044750
33	31	MEENAKSHI SUNDARAM RAMANATHAN & GEETHA MEENAKSHI SUNDARAM	342 STONEHOUSE DR	APEX NC 27523-7127		0733044644
34	32	DANIEL & JESSICA THORN	346 STONEHOUSE DR	APEX NC 27523-7127		0733044548
35	33	IAN & MA FATIMA GOMEZ	350 STONEHOUSE DR	APEX NC 27523-7127		0733044530
36	34	RAJESH & MANASA NADIPALLI	267 CRESTMONT RIDGE DR	APEX NC 27523-7119		0733043453
37	35	PRANAB & PUJA SHRESTHA	263 CRESTMONT RIDGE DR	APEX NC 27523-7119		0733043439
38	36	TAO FENG & JING CHAI	2305 BRAXTON WOOD LN	APEX NC 27523-7128		0733043618
39	37	RAMASAMEERA PALAVALI & SIVANAGARJUNA SANIVARAPU	2301 BRAXTON WOOD LN	APEX NC 27523-7128		0733043734
40	38	ADAM & STACEY LISI	2300 BRAXTON WOOD LN	APEX NC 27523-7128		0733043833
41	39	CHINAR KULKARNI & SANUJA DABADE	2307 FILLMORE HALL LN	APEX NC 27523-7126		0733043966
42	40	WAKE CNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD	RALEIGH NC 27610-4145	0733061465
43	41	121 LENNOX LLC	SMULTRON LP	1892 BLUE JAY PT	APEX NC 27502-9711	0733153781
44	42	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733141997
45	43	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733153015
46	44	AMANDALEE2 LLC	6410 MCCRIMMON PKWY	MORRISVILLE NC 27560-8136		0733146978
47	45	AJAY EDARA & LEELA MADHAVI UPPALA	2226 POLLARD PL	CARY NC 27519-8963		0733143822
48	46	JAMAL MOHAMED ABDUL KADAR & FATIMA FIROSE ABDULLAH	2222 POLLARD PL	CARY NC 27519-8963		0733143892
49	47	HYUNSOOK CHAE & IL WON	2218 POLLARD PL	CARY NC 27519-8963		0733144851
50	48	JIN S & YOUNG LEE	2214 POLLARD PL	CARY NC 27519-8963		0733145811

2050 Roberts Rd Properties Adjacent Property Owners

	A	B	C	D	E	F
51	49	CHIRAG A SAXENA & PUJITA PATNI	251 GARTRELL WAY	CARY NC 27519-8962		0733143676
52	50	JAVEEDA MIYA & NURUS SABA	2215 POLLARD PL	CARY NC 27519-8963		0733145614
53	51	BYUNG CHAN & SHIN HYUN CHOI	267 GARTRELL WAY	CARY NC 27519-8962		0733144610
54	52	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733144565
55	53	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733145522
56	54	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733145314
57	55	HAN ZHU & RUI WANG	309 PARLIER DR	CARY NC 27519-8964		0733144296
58	56	DAOYU WANG & QINGFANG LIN	313 PARLIER DR	CARY NC 27519-8964		0733144270
59	57	MADHUSUDHAN BELLAMKONDA & USHA ANNAMANI	317 PARLIER DR	CARY NC 27519-8964		0733144145
60	58	ELDHOS KURIAN THATTARATH & CAROLINE THOMAS	321 PARLIER DR	CARY NC 27519-8964		0733144009
61	59	NARENDER & JYOTI RAO YELLANKI	325 PARLIER DR	CARY NC 27519-8964		0733143054
62	60	LALIT GOEL & ANUBHA GUPTA	329 PARLIER DR	CARY NC 27519-8964		0733143001
63	61	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733132947
64	62	BONG JIN YOUM & HAEJA KIM	336 PARLIER DR	CARY NC 27519-8964		0733141110
65	63	KAI-DI & CHENG-KUO CHI	332 PARLIER DR	CARY NC 27519-8964		0733141163
66	64	ALI QAMAR & MADIHA ALI	326 PARLIER DR	CARY NC 27519-8964		0733142117
67	65	SARAH YONGMEI XU & DONG XIANG	7 RANDOLPH CIR	WESTFORD MA 01886-2595		0733142261
68	66	CHANDRA SEKHAR VELIGETI BHASKARA & ANUSHA KARYAMPUDI	314 PARLIER DR	CARY NC 27519-8964		0733142297
69	67	YANG LI WU & YU FANG SHANG	310 PARLIER DR	CARY NC 27519-8964		0733143323
70	68	TOLL NC II LP	250 GIBRALTAR RD	HORSHAM PA 19044-2323		0733142477
71	69	NIKITA SWAPNIL PATIL & SWAPNIL KHANDERAU PATIL	2308 FILLMORE HALL LANE	APEX, NC 27523-7126		0733053163
72						
73						



 Jones & Crossen ENGINEERING, PLLC <small>Civil Engineering Construction Management Land Planning</small>	
7517 ROBERTS ROAD, 2310 POLLARD PLACE, # 2000 CABIN COVE ROAD <small>WALKER COUNTY, NORTH CAROLINA</small>	
1"=200' SEPTEMBER 10, 2020	TJD 2050

PUD PLAN

Roberts Road Properties A PLANNED UNIT DEVELOPMENT

APEX, NORTH CAROLINA

OWNER/DEVELOPER:

Justin Michela

October 1, 2020

Revised: 11/5/20

Revised: 12/3/20

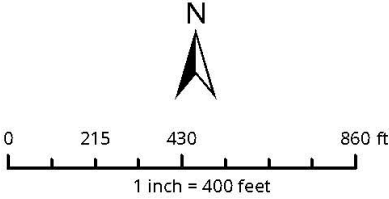
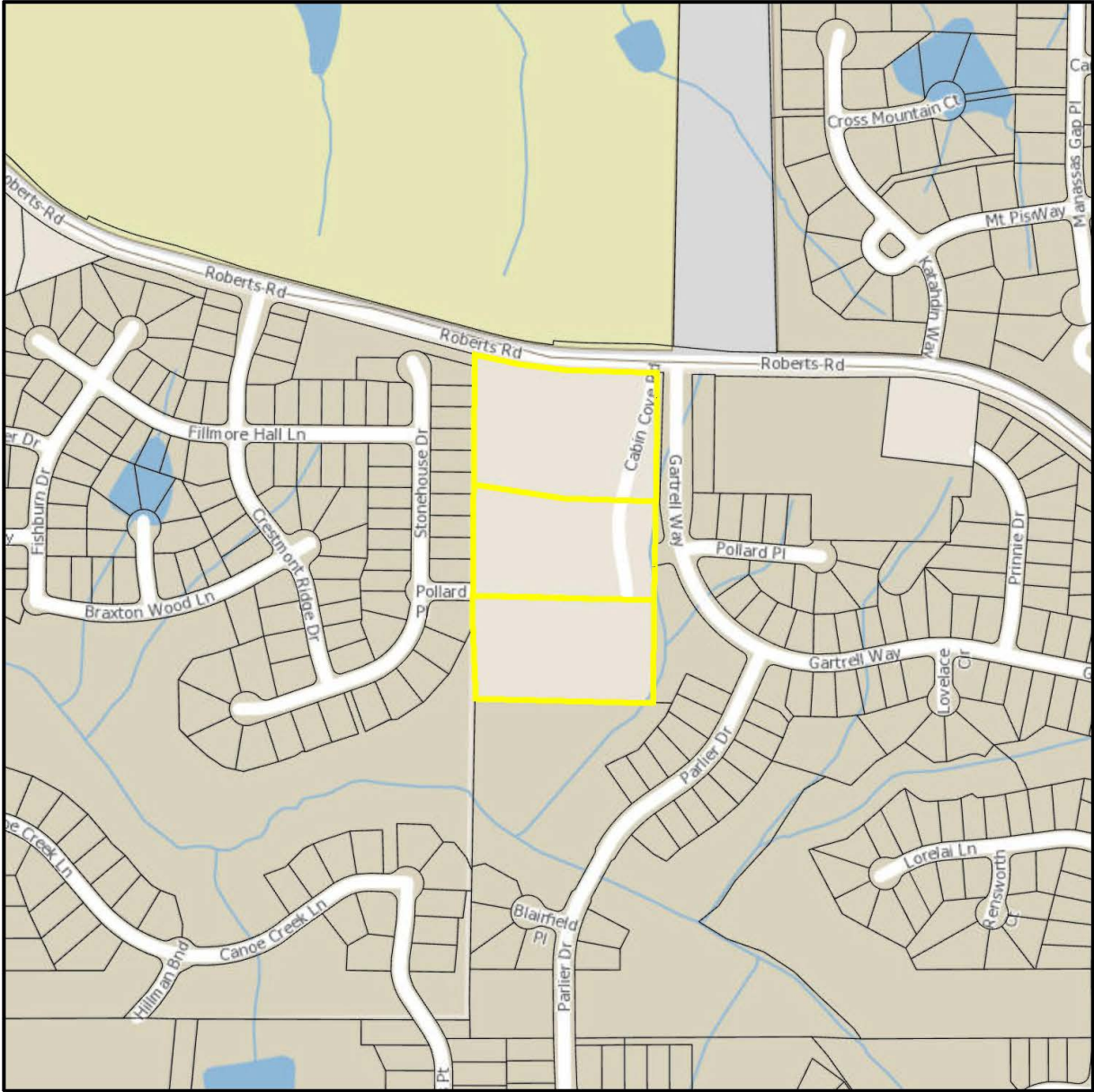
Revised: 12/21/20

Jones & Crossen Engineering, PLLC
221 N. Salem Street, Suite 001
P.O. Box 1062
Apex, NC 27502
(919)387-1174

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SECTION 2 – VICINITY MAP



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SECTION 3 – PROJECT DATA

- A. Project name: Roberts Road Properties
- B. Owner/Developer Justin Michela
714 Main Street
Hudson, MA 01749
- C. Prepared by: Jones & Clossen Engineering, PLLC
P.O. Box 1062, 221 N. Salem Street, Suite 001
Apex, NC 27502
(919) 387-1174
- D. Designated Single Point of Contact:
Patrick L. Kiernan (Jones & Clossen Engineering, PLLC)
- E. Current and Proposed Zoning of the Property:
Current zoning: Rural Residential (RR)
Proposed zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)
- F. Current and Proposed Land Uses:
Current: Residential, Vacant
Proposed: Residential
- G. Current and Proposed 2045 Land Use Designation:
Current/Proposed: Medium Density Residential

SECTION 4 – PURPOSE STATEMENT

Roberts Road Properties PUD is a proposed residential project to be developed under the Town of Apex ordinance as a Planned Unit Development (PUD). This project contains three (3) parcels under contract by Justin Michela. The project is located along Roberts Road and is situated between two (2) Residential Developments. The PUD may develop as single-family detached homes, residential townhomes, or a combination of these uses. The project will provide vehicular connections to the Crestmont subdivision to the west and the Pines at Wake Crossing subdivision to the east, improving traffic circulation in the area, and completing the residential development of this basin. The three (3) parcels that form the Roberts Road Properties PUD are all designated as Medium Density Residential on the 2045 Land Use Map, and that designation shall remain with this proposed project. The proposal to rezone these properties to PUD-CZ is in keeping with the Town's objectives to create high-quality developments with a small-town feel. This development will be a pedestrian friendly community with sidewalk along both sides of the internal public streets, as well as sidewalk interconnectivity between the subdivisions to the east and west. This project shall include the preservation of the existing estate located at 2000 Cabin Cove Road, in order to re-purpose it as a community center/recreation site. This development will enhance the value of the surrounding properties by providing quality residential development for the area, as a small residential infill project.

SECTION 5 – PERMITTED USES

The Town of Apex UDO allows a mixture of uses in the PUD zoning district and the owners have chosen to further restrict the allowable uses as listed below:

Residential Uses

Single-Family (Min. lot size = 6,000 sf)

Townhouse

Accessory apartment

Utilities

Utility, minor

Recreational Uses

Park, active

Park, passive

Greenway

Recreational facility, private

SECTION 6 – DESIGN CONTROLS

A. Maximum Densities

Maximum residential density for the project is 4.8 units per gross acre.

Maximum number of residential lots = 50

- Maximum number of Single-Family detached lots (min. lot size = 6,000 SF) = 40
- Maximum number of Townhome lots = 10

B. Proposed Maximum Height of the Buildings and Number of Stories

Maximum height – 45'

Maximum stories – 3

C. Proposed Minimum Building Setbacks

Residential Single-Family Detached

From Buffer or RCA – 10'

Front Yard – 10' Minimum

Side Yard – 5' Minimum (no aggregate)

Rear Yard – 10' Minimum

Driveways from back of sidewalk to garage – 20' (12' min. width)

Townhouse

From Buffer or RCA – 10'

Front – 15'

Rear – 15'

Side (end units) – 5'

Side (corner) – 10’
Driveways from back of sidewalk to garage – 20’ (12’ min. width)
Building Side to Side – 10’
Building Side to Rear – 30’
Building Rear to Rear – 40’

D. Percentage of Built upon Area

The UDO allows for a maximum 70 percent of built upon area in a PUD project and the Roberts Road Properties PUD will not exceed that amount.

E. Perimeter Buffers

The PUD plans show buffers around the site to provide visual breaks between uses and public roads as shown on Sheet 2 of the PUD Plans (Layout Plan). These buffers include 10’ Type B Landscape Buffers along the southern, eastern, and western perimeters, and a 30’ Type B Thoroughfare Buffer (undisturbed) along Roberts Road to the north. In the case that the thoroughfare buffer along Roberts Road must be disturbed, the width of the type B buffer shall increase from 30’ to 50’. See Section 6.F for increase in Roberts Road buffer width in exchange for a 5% reduction in required RCA.

F. Percentage of Resource Conservation Area

The Roberts Road Properties PUD is requesting to reduce the required percentage of Resource Conservation Area to 25% of the total acreage (which amounts to 2.64 acres of RCA) based on the provisions stated in UDO Sec. 2.3.4.F.1.c (RCA). This 5% reduction from the standard 30% required per UDO Sec. 8.1.2 (*Resource Conservation Area*) is being requested in exchange for the additional zoning conditions listed below. If Town Council votes to approve without the RCA reduction, these zoning conditions shall not be included in the approval.

- In addition to all single-family detached homes being pre-configured with conduit for a solar energy system (condition #12 in Section 7), at least 8% of the total number of homes proposed in the Master Subdivision Plan shall be built with solar PV systems installed at the time of construction. When measurements of the number of units results in a fractional number greater than 0.10, it shall be rounded to the next higher whole number. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which the home(s) is located shall be identified on the Master Subdivision Plat, which may be amended from time to time. This project shall be stage graded per Section 7.2.5.C.
- All single-family detached homes within this development shall be built with HVAC systems that meet or exceed a SEER rating of 18.

- The 30' Type B thoroughfare buffer (undisturbed) along Roberts Road shall be increased to a 40' Type B thoroughfare buffer (undisturbed). In the case that this buffer must be disturbed, the width of the type B buffer shall increase from 40' to 60'. See Section 6.E and Section 10.D for reference to the 30' Type B thoroughfare buffer (undisturbed) that would otherwise be proposed if not for the condition to reduce the RCA requirement.
- Evergreen trees shall be planted as a windbreak on the northern side of buildings, where practical.
- Landscape design shall include pollinator-friendly flora in common areas.
- Landscape design shall include a minimum of three (3) native hardwood species.
- A pet waste station shall be installed at the mail kiosk, or at the community center/recreation site, to be determined at the time of Master Subdivision Plan.

G. Affordable Housing Condition

If the Town of Apex has a fund or other mechanism in place to receive donations to construct, subsidize, or participate in the development of affordable housing units (the "Fund"), the developer will contribute \$215 per lot to this Fund prior to Master Subdivision Final Plat approval for each phase. In the event the Fund has not been established by the Town of Apex, the money will be conveyed to a non-profit organization participating in affordable housing. The developer will work with the Town of Apex to identify a mutually acceptable non-profit organization to receive these funds.

H. Builder Condition

In order to maintain a unique residential development, the subject properties shall not sell to a national builder. This condition shall be included in the deed.

SECTION 7 – ARCHITECTURAL STANDARDS

Single-Family Detached Residential Standards

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. The visible side of a home facing the public street shall contain at least three (3) decorative elements such as, but not limited to, the following elements:
 - Windows
 - Bay window
 - Recessed window
 - Decorative window
 - Trim around the windows
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick/stone
 - Decorative trim

- Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
3. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
 4. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
 5. Homeowner Association covenants shall not restrict the construction of accessory dwelling units.
 6. All single-family homes shall have a crawl space or have a raised foundation that at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
 7. Garage doors shall have windows, decorative details, or carriage-style adornments on them.
 8. The garage shall not protrude more than 1 foot out from the front façade and/or front porch for at least 75% of building designs.
 9. Garages on the front façade of a home that faces the street shall not exceed 40% of the total width of the house and garage together.
 10. Eaves shall project at least 12 inches from the wall of the structure.
 11. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door.
 12. All single-family detached homes shall be pre-configured with conduit for a solar energy system.

Townhouse Residential Standards

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Garage doors must have windows, decorative details, or carriage-style adornments on them.
3. The visible side of a townhome facing the public street shall contain at least three (3) decorative elements such as, but not limited to, the following elements:
 - Windows
 - Bay window
 - Recessed window
 - Decorative window
 - Trim around the windows
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick/stone
 - Decorative trim

- Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
4. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
 5. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
 6. Building facades shall have horizontal relief achieved by the use of recesses and projections.
 7. For townhome buildings with three (3) units or more, the roofline cannot be a single mass; it must be broken up horizontally and vertically between every unit.
 8. The garage cannot protrude more than 1 foot out from the front façade or front porch.
 9. Maximum number of units per townhome building shall be limited to four (4) units.
 10. No townhomes shall be constructed along the western property line.

SECTION 8 – PARKING AND LOADING

Parking and loading requirements for the residential areas shall conform to the parking standards listed in the Town of Apex UDO Section 8.3.

SECTION 9– SIGNS

Signage for this project will comply with UDO section 8.7. The developer shall submit a master sign plan that shows signage locations and details of signage patterns throughout the development.

SECTION 10 – NATURAL RESOURCE AND ENVIRONMENTAL DATA:

- A. This project is located in the White Oak Creek drainage basin, which is in the Jordan Lake Basin. This project currently falls within both the primary and the secondary watershed protection overlay districts, as shown on the Town of Apex Watershed Protection Overlay District Map.
- B. There are no FEMA mapped floodplains on these parcels as shown on FEMA FIRM Map Number 3720073300J, dated May 2, 2006.
- C. There are no known historic structures on this project.

- D. To demonstrate the project's commitment to preserving and re-establishing tree canopy in our region, the developer seeks to replant and restore existing tree canopy that is removed from those portions of the property that are anticipated to contain single family and townhome lots. To that end, prior to recording the first subdivision plat for the property, the developer will provide a donation of \$1,600 to a local non-profit organization with a mission towards tree preservation and replacement. In those portions of the site where trees are removed for single family or townhome lots, the developer anticipates it can offset such removal by preserving 1.6 acres of existing tree canopy in other places on the site, and replacing and replanting trees over 0.8 acres of the rest of the property. As such, this \$1,600 donation represents an assigned per-tree value in substitute canopy for the remainder of the property.

SECTION 11 – STORMWATER MANAGEMENT

Roberts Road Properties PUD will meet all applicable requirements and standards as described in section 6.1 of the Apex UDO. This project will meet all stormwater reduction requirements including limiting the post-development stormwater flows to not exceed the pre-development stormwater runoff for the 1-year and 10-year 24 hour storm events.

Roberts Road Properties PUD will use approved devices to control the stormwater and sediment runoff. These devices may include detention ponds, retention ponds, bioretention areas, or any other approved SCM stormwater control. Stormwater control devices shall be landscaped and constructed to be an amenity to the development and shall blend into the surroundings.

SECTION 12 – PARKS AND RECREATION

The project was reviewed by the PRCR Advisory Commission on December 9th, 2020 and the Commission unanimously recommended a fee-in-lieu for recreation land dedication based on the number of units and types proposed at the time of Master Subdivision Approval. The fee rate will be based on the rate of the current year when the PUD is approved by Town Council.

SECTION 13 – PUBLIC FACILITIES

Roberts Road Properties PUD will include the extension of public streets into the site from Pollard Place to the west (coming from the Crestmont subdivision), as well as Pollard Place to the east (coming from the Pines at Wake Crossing subdivision). There will be no direct vehicular access to Roberts Road. All public streets (with the exception of Pollard Place) will have a 5' sidewalk on both sides of the street. The Pollard Place extension will have an 8' Side Path on the north side of the road to connect to the existing 8' Side Path on the north side of existing Pollard Place (to the east). The future amenity center shall provide pedestrian connection to the existing pedestrian path on Gartrell Way. The project shall provide pedestrian access from the future subdivision to Roberts Road via the 8' Side Path along Pollard Place and Gartrell Way. The project will dedicate additional right-of-way along Roberts Road in the northeast corner to achieve a total of 40' for 1/2 of the Roberts Road R/W. A 5'

public sidewalk shall be installed along the frontage of the project along Roberts Road prior to the first plat. The transportation network for Roberts Road Properties PUD will be consistent with the Town of Apex Transportation Plan and associated requirements of the UDO.

As shown on the PUD Utility Plan, the sanitary sewer connection will come by connecting to the existing sewer system in Pollard Place to the west, from the Crestmont subdivision. Water distribution service will be provided to this project by the connection to an existing eight inch waterline along Pollard Place to the west (coming from the Crestmont subdivision), as well as Pollard Place to the east (coming from the Pines at Wake Crossing subdivision).

Roberts Road Properties PUD shall include the preservation of the existing estate located at 2000 Cabin Cove Road, in order to re-purpose it as a community center/recreation site, which will be owned and maintained by the HOA. The exterior appearance of the structure may remain unchanged during its conversion, but parking, as well as ADA accessible paths, shall be provided in accordance with the Town of Apex UDO. The timing of the conversion shall not be tied to any specific number of lots being platted.

SECTION 14 – PHASING

The project shall be developed in at least two (2) phases. The first phase will be developed because of the availability of sewer and water connections, and access to Pollard Place to the east and to the west. The development of Phase I will likely begin construction in 2021. The timing of the subsequent phase(s) will depend on market demand.

SECTION 15 – CONSISTENCY WITH LAND USE PLAN

The Town of Apex 2045 Land Use Map currently designates these parcels as Medium Density Residential. We believe this PUD is appropriate for the area and is consistent with the current Land Use Map.

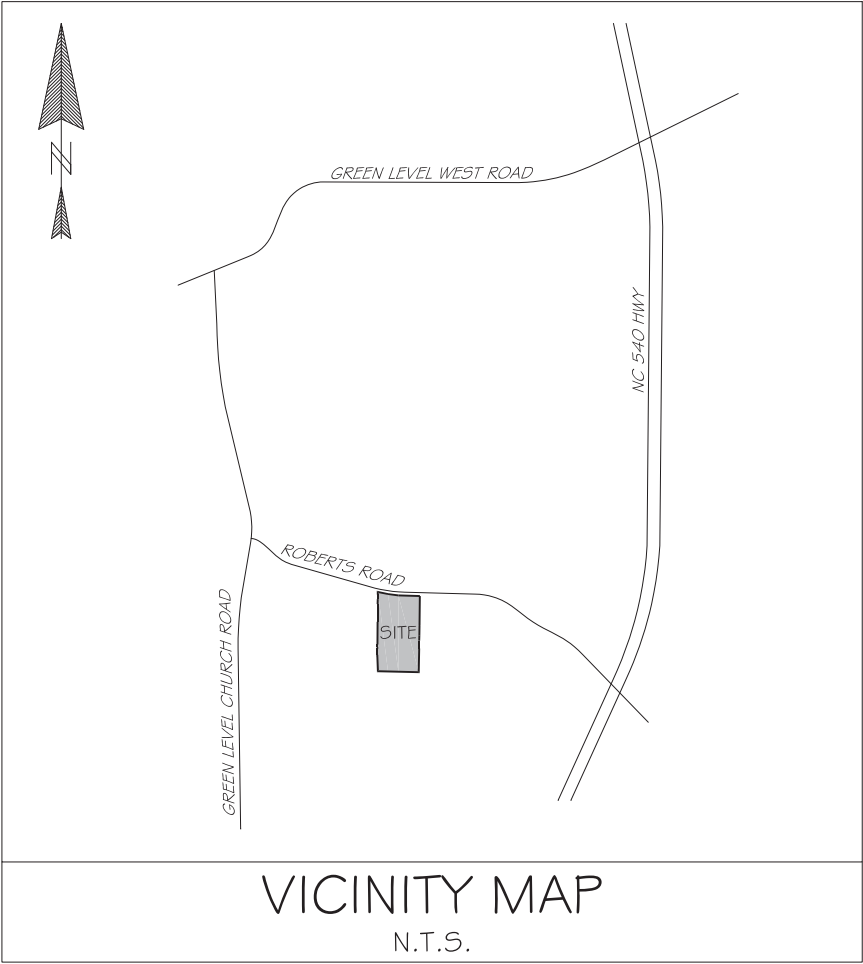
SECTION 16 – COMPLIANCE WITH THE UDO

The proposed plans for Roberts Road Properties PUD are in compliance with the standards and allowances provided in the current approved version of the Town of Apex Unified Development Ordinance. Any variance from UDO requirements has been noted in this plan.

SECTION 17 – LAND USE NOTES

- A. This project will require the formation of at least one Homeowners Association, which will handle the maintenance of common areas, buffers, RCA, stormwater devices, etc.

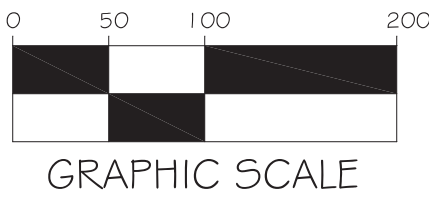
ROBERTS ROAD PROPERTIES PUD



SITE DATA	
PROJECT NAME	ROBERTS ROAD PROPERTIES PUD
PREPARED BY / CONTACT INFORMATION	JONES & CROSSEN ENGINEERING, PLLC P.O. BOX 1062 APEX, NORTH CAROLINA 27502 PHONE - (919) 387-1174 FAX - (919) 387-3375 CONTACT PERSON - PATRICK L. KIERNAN
OWNER / DEVELOPER CONTACT INFORMATION	JUSTIN MICHELA 714 MAIN STREET HUDSON, MA 01749 PHONE - (978) 875-0821 CONTACT PERSON - JUSTIN MICHELA
CURRENT 2045 LAND USE MAP DESIGNATION	MEDIUM DENSITY RESIDENTIAL
PROPOSED 2045 LAND USE MAP DESIGNATION	MEDIUM DENSITY RESIDENTIAL
AREA DESIGNATED AS MIXED USE ON 2045 LUM	0 ACRES
CURRENT ZONING	RURAL RESIDENTIAL
PROPOSED ZONING	PUD-CZ
WAKE COUNTY PINS	0733-05-9045, 0733-04-9734, & 0733-04-9444
TOTAL PROJECT AREA	10.54 ACRES
AREA WITHIN EXISTING ROBERTS ROAD RW	0.04 ACRES
AREA TO BE DEDICATED TO ROBERTS ROAD RW	0.002 ACRES
NET PROJECT AREA	10.50 ACRES
MAXIMUM RESIDENTIAL DENSITY	50 LOTS (4.8 LOTS/ACRE)
TOTAL RCA / BUFFER AREA REQUIRED FOR PUD	25% OR 2.64 ACRES
MAXIMUM BUILT UPON AREA FOR PUD	70% OR 7.35 ACRES
PUBLIC RECREATION REQUIREMENT	SINGLE FAMILY DETACHED UNITS (RATE TBD) SINGLE FAMILY ATTACHED UNITS (RATE TBD)
WATERSHED INFORMATION	PRIMARY & SECONDARY
FEMA FLOODPLAIN INFORMATION	MAP #37200733001 - PROJECT IS NOT WITHIN 100 YEAR FLOODPLAIN.
SMALL TOWN CHARACTER OVERLAY DISTRICT	NO
HISTORIC STRUCTURE?	NO

MINIMUM BUILDING SETBACKS			
SINGLE FAMILY DETACHED		TOWNHOUSE	
FRONT	10'	FRONT	15'
REAR	10'	REAR	15'
SIDE	5' (MIN.), NO AGG.	SIDE (END UNITS)	5'
BUFFER/RCA	10'	SIDE (CORNER)	10'
		BUFFER/RCA	10'
		BUILDING SIDE TO SIDE	10'
		BUILDING SIDE TO REAR	30'
		BUILDING REAR TO REAR	40'
DRIVEWAYS FROM BACK OF SIDEWALK TO GARAGE = 20' (12' MIN. WIDTH)			

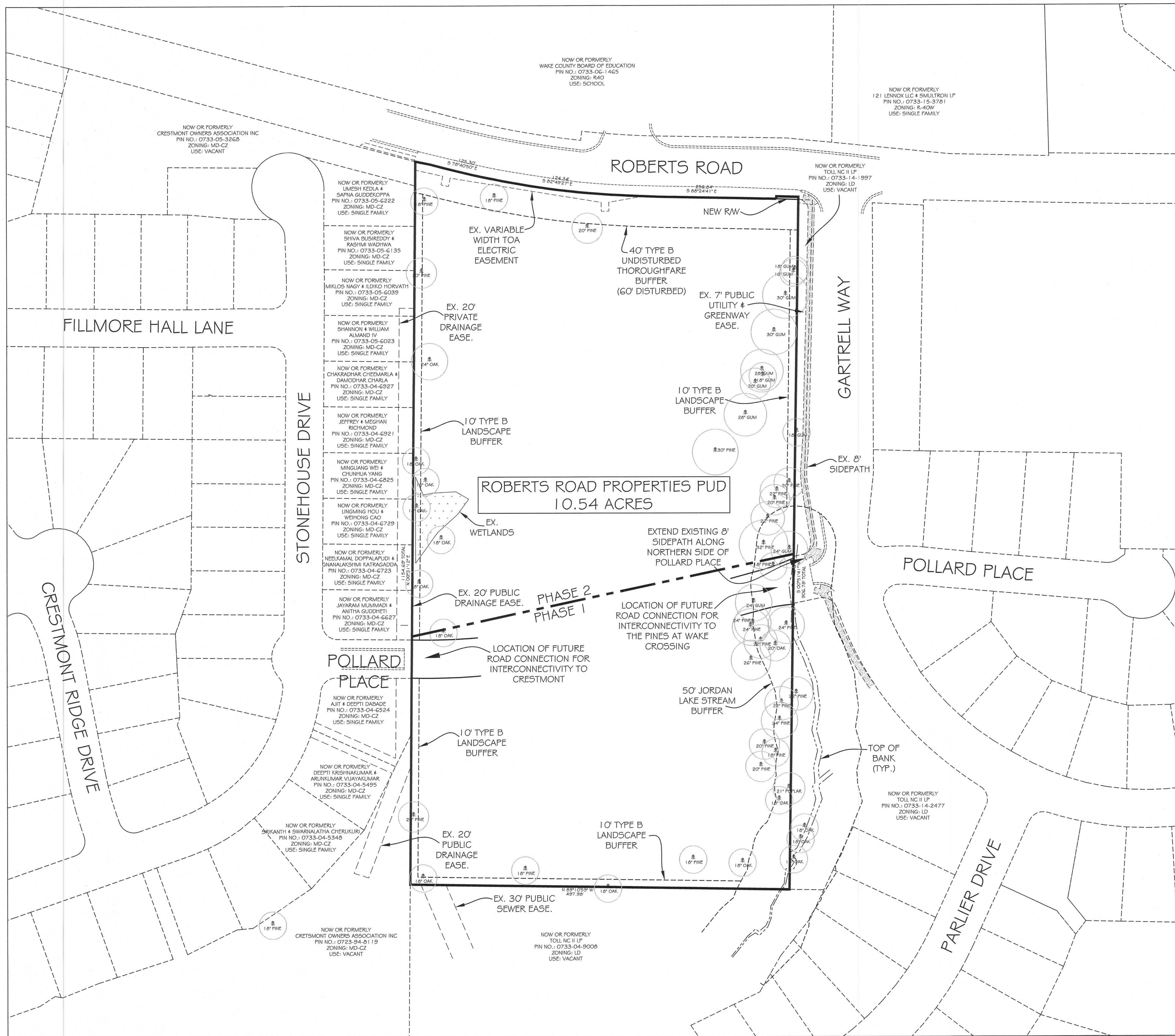
PUD PLAN - DRAWING SHEET INDEX	
1	COVER SHEET
2	PRELIMINARY LAYOUT & PHASING PLAN
3	EXISTING CONDITIONS PLAN
4	PRELIMINARY UTILITY PLAN



PRELIMINARY PLANS
NOT FOR CONSTRUCTION



SCALE:	1" = 100'	DRAWN:	PLK
DATE:	OCTOBER 1, 2020		
REVISION:	11/5/20	PER:	TRC
12/29/20		COUNCIL SET	
SHEET:	1		
PROJECT:	2050		



TOWN REQUIRED PUD NOTES:

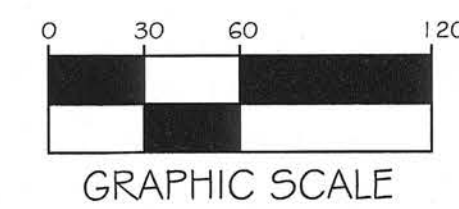
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3. ALL REQUIRED SITE ELEMENTS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
4. NO SIGNS ARE APPROVED AS PART OF A PUD-CZ PLAN APPROVAL. A SEPARATE SIGN PERMIT MUST BE OBTAINED.

PLANNING NOTES:

1. WITH THE SIZE OF THE PUD AND THE PROPOSED DENSITY, THIS SITE DOES NOT REQUIRE A TRANSPORTATION IMPACT ANALYSIS.
2. FUTURE PUBLIC ROADWAY CONNECTIONS ARE SHOWN TO DEMONSTRATE CONNECTIVITY FOR THE OVERALL PROJECT BUT SPECIFIC LOCATIONS WILL BE SHOWN AT THE TIME OF MASTER PLAN APPROVAL.
3. THE MAINTENANCE OF RCA, LANDSCAPE BUFFERS, COMMON AREAS AND THE STORMWATER DEVICES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOC.
4. ALL INTERNAL PUBLIC STREETS SHALL HAVE 50 FEET OF RIGHT-OF-WAY, 27 FEET OF CURB AND ASPHALT, WITH SIDEWALK ON BOTH SIDES OF THE STREET UNLESS SPECIFIED OTHERWISE.
5. ALL SIGNAGE SHALL COMPLY WITH TOA UDO SECTION 8.7, SIGNS THE PUD SHALL MEET TOWN OF APEX STORMWATER REQUIREMENTS OUTLINED IN TOA UDO SECTION 6.1.7 SUCH THAT POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED THE PRE-DEVELOPMENT RUNOFF FOR THE 1-YEAR AND 10-YEAR, 24 HOUR STORM EVENTS.
6. THIS SHALL BE A PHASED DEVELOPMENT COMPLETED IN AT LEAST TWO PHASES (PHASES SHOWN HEREON ARE CONCEPTUAL). ALL PHASES SHALL BE SHOWN AT THE TIME OF MASTER SUBDIVISION PLAN SUBMITTAL.
7. THIS DEVELOPMENT WILL BE STAGE GRADED.

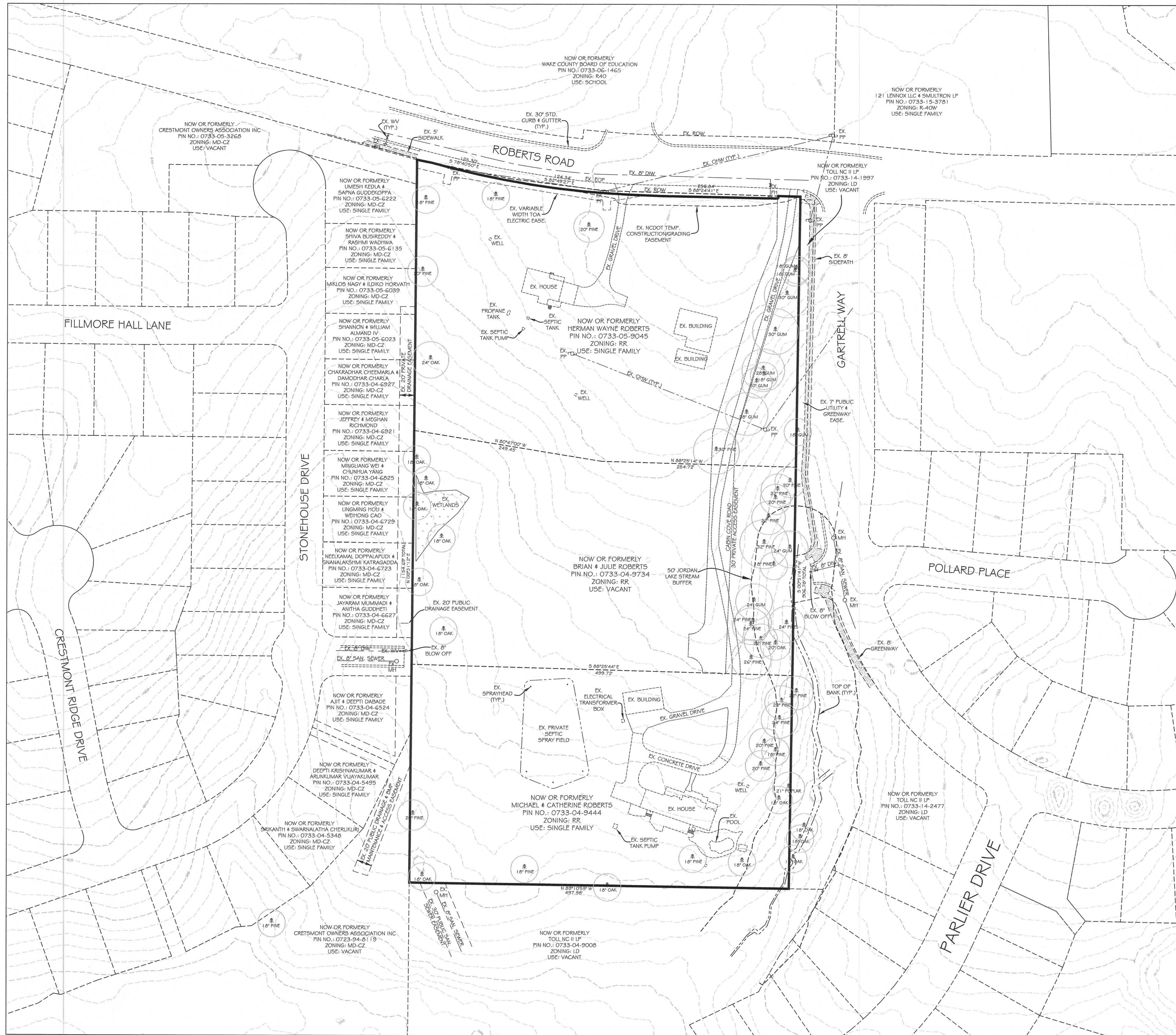
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5. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
6. IF THE PUD IS APPROVED WITHOUT THE 5% RCA REDUCTION, THE 40' TYPE B THOROUGHFARE BUFFER (UNDISTURBED) ALONG ROBERTS ROAD SHALL BE REDUCED TO 30'.



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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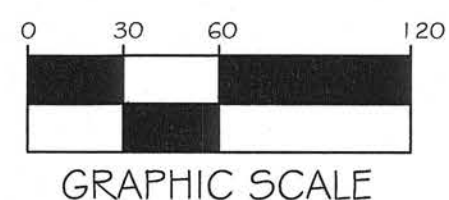


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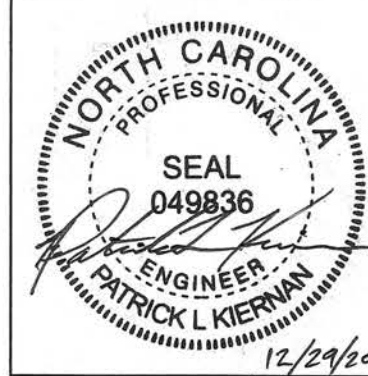
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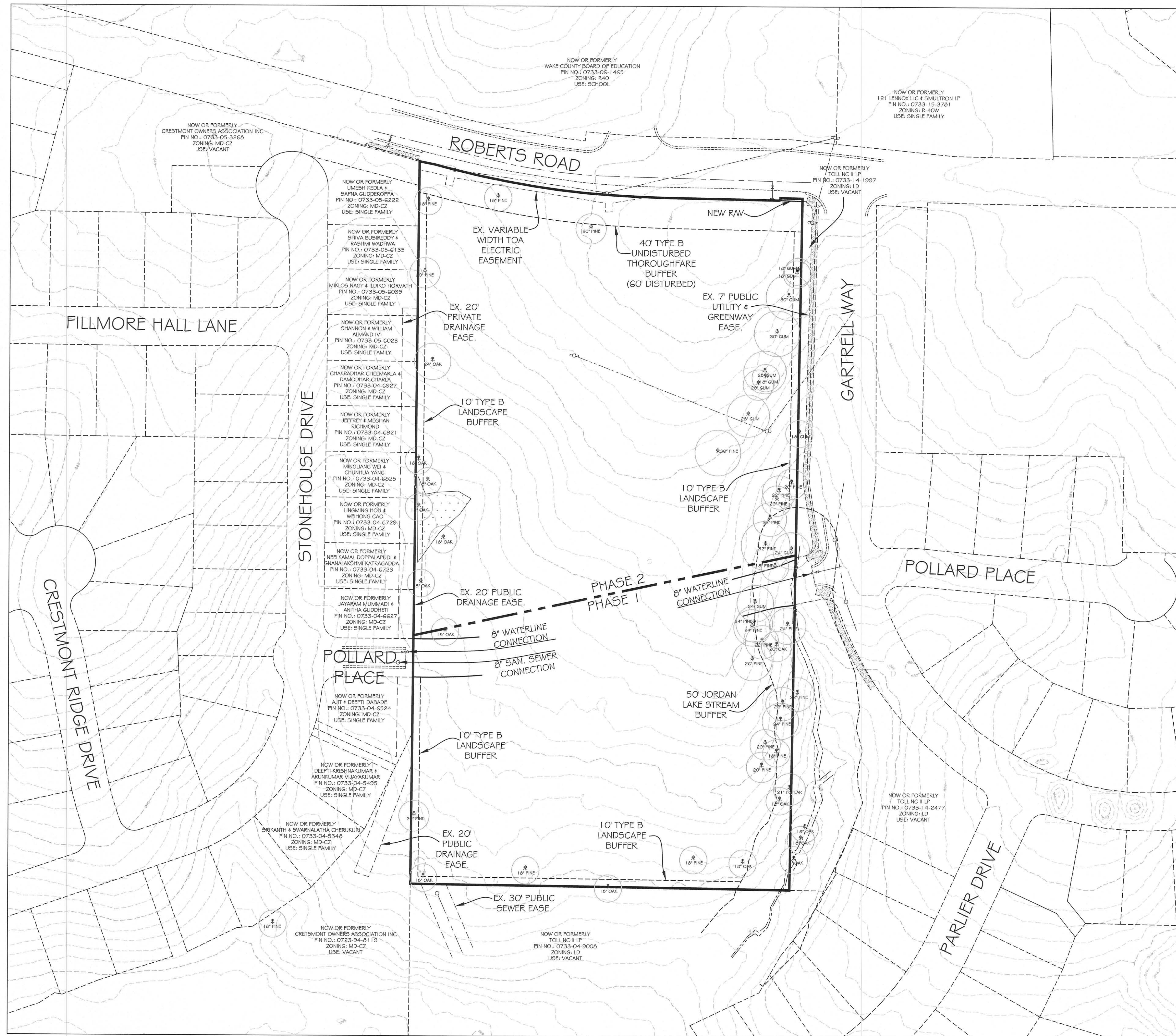
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4. THE STREAM BUFFER CALL ON THIS PROPERTY IS REFERENCED AS #20-003.
5. CONSTRUCTION VEHICLE PARKING SHALL BE LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE OF FIRE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH.
6. ONCE THE FIRST LIFT OF ASPHALT IS PASSABLE BY VEHICLES, TEMPORARY STREET SIGNS ARE REQUIRED.
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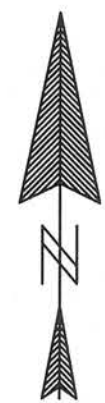
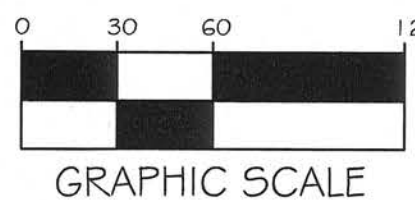


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5. INSTALLATION OF SILT FENCE SHALL MAINTAIN 3' OF CLEARANCE AROUND FIRE HYDRANTS.
6. THE FUTURE LOCATIONS FOR WATER AND SEWER MAINS ARE APPROXIMATE AND SHALL BE DESCRIBED IN MORE DETAIL AT THE TIME OF MASTER PLANS. THESE UTILITY LOCATIONS ARE ILLUSTRATIVE TO SHOW CONNECTIONS AND SIZING.
7. CONTACT FOR TOWN OF APEX ELECTRIC UTILITIES IS RODNEY SMITH AT 919-249-3342.
8. PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE USE ONLY.



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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ILLUSTRATIVE PURPOSES ONLY



SCALE	1"=60'	DRAWN	PLK
DATE	OCTOBER 1, 2020		
REVISION	1/15/20	PER TRC	
	1/23/20	PER TRC	
	12/29/20	COUNCIL SET	
SHEET	4		
PROJECT	2050		







| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter: Sarah VanEvery, Senior Planner

Department: Planning and Community Development

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing for January 26, 2021 on the Question of Annexation – Apex Town Council's intent to annex Yumeewarra Farm Assembly property containing 18.737 acres located at 0, 0 and 8633 Humie Olive Road, Annexation #702 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

The Town Clerk certifies to the investigation of said annexation. Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

Attachments

- Annexation Petition
- Legal Description
- Vicinity Map
- Resolution Directing the Town Clerk to Investigate Petition
- Certificate of Sufficiency by the Town Clerk
- Resolution Setting Date of Public Hearing





RESOLUTION DIRECTING THE TOWN CLERK
TO INVESTIGATE PETITION RECEIVED UNDER G.S. § 160A-31

Annexation Petition# 702
Yumeewarra Farm Assembly

WHEREAS, G.S. §160-A 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of her investigation.

This the 12th day of January 2021.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #702
Yumeewarra Farm Assembly

To: The Town Council of the Town of Apex, North Carolina

I, Donna B. Hosch, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. § 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 12th day of January 2021.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(Seal)

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #:	<u>702</u>	Submittal Date:	<u>11/2/2020</u>
Fee Paid	<u>\$ 200</u>	Check #	<u>3107</u>

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Yumeewarra Farm LLC

Owner Name (Please Print)

0711-80-5090

Property PIN or Deed Book & Page #

Phone

E-mail Address

Yumeewarra Farm LLC

Owner Name (Please Print)

0710-89-7972

Property PIN or Deed Book & Page #

Phone

E-mail Address

Yumeewarra Farm LLC

Owner Name (Please Print)

0710-99-3712

Property PIN or Deed Book & Page #

Phone

E-mail Address

Surveyor Information

Surveyor: CE Group (Shane Strickland)

Phone: (919) 367-8790

Fax: (919) 233-0032

E-mail Address: shane@cegroupinc.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	<u>18.737 acres</u>	Need water service due to well failure	<input type="checkbox"/>
Population of acreage to be annexed:	<u>2</u>	Need sewer service due to septic system failure	<input type="checkbox"/>
Existing # of housing units:	<u>1</u>	Water service (new construction)	<input checked="" type="checkbox"/>
Proposed # of housing units:	<u>53</u>	Sewer service (new construction)	<input checked="" type="checkbox"/>
Zoning District*:	<u>R-40W</u>	Receive Town Services	<input checked="" type="checkbox"/>

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 702

Submittal Date: 11/2/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Yumeewarra Farm LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Limited Liability Company Yumeewarra Farm LLC

By:

[Signature]
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE Lee

Sworn and subscribed before me, Keith Arnold Bell, a Notary Public for the above State and County, this the 20 day of October, 2020.



Keith Arnold Bell
Notary Public

My Commission Expires:

12/18/2021

COMPLETE IF PARTNERSHIP

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Partnership _____

By:

Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____ a Notary Public for the above State and County, this the ____ day of _____, 20____.

Notary Public

SEAL

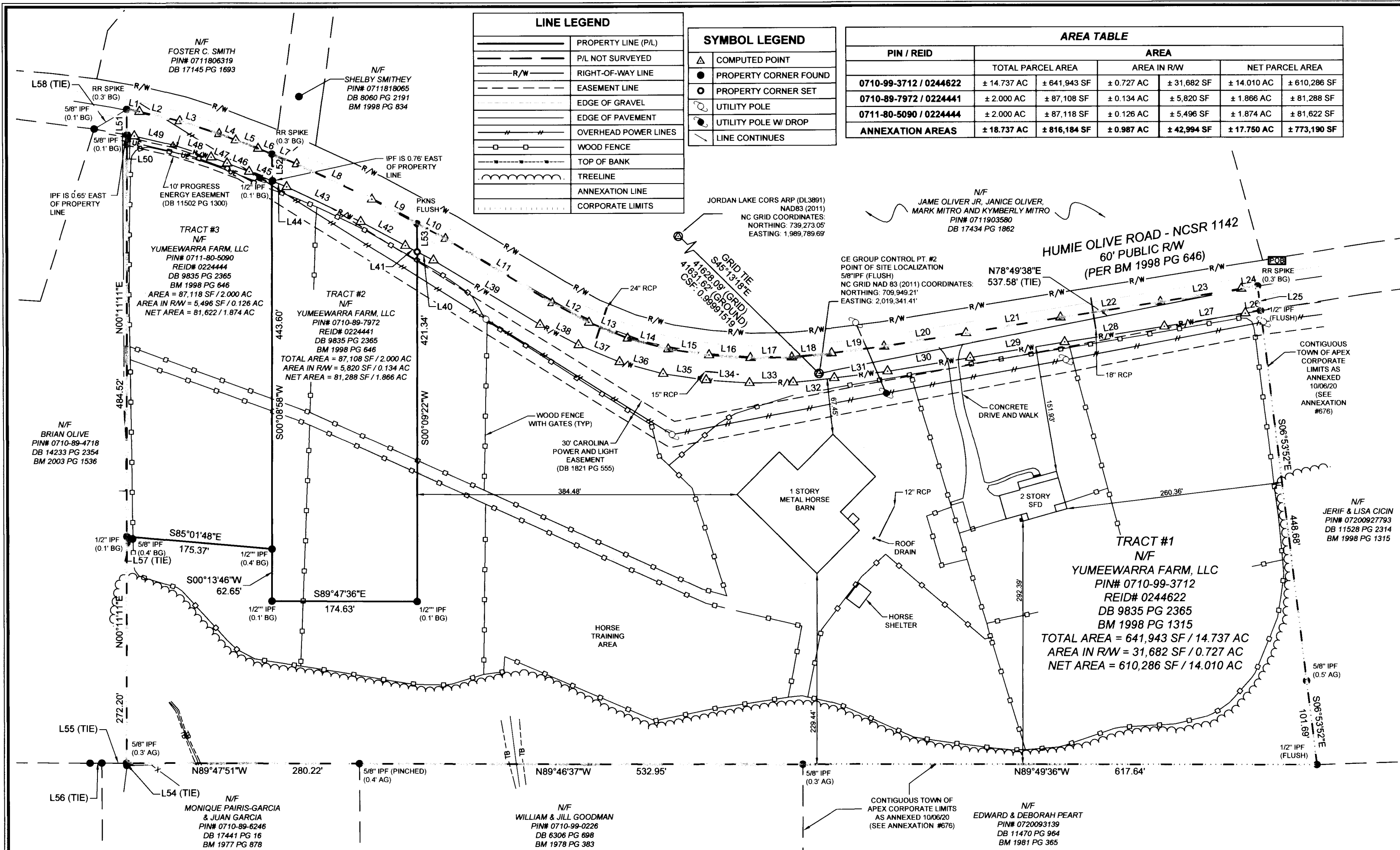
My Commission Expires: _____

Yumeewarra Farm, LLC Legal Description

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PID: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' & EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FROM SAID POINT OF BEGINNING A BEARING OF S06°53'52"E FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142) HAVING A 60 FOOT RIGHT OF WAY; THENCE ALONG THE COMMON LINE BETWEEN YUMEEWARRA FARM, LLC AND JERIF AND LISA CICIN A BEARING OF S06°53'52"E FOR A DISTANCE OF 448.68 FEET TO AN IRON PIPE FOUND; THENCE, S06°53'52"E FOR A DISTANCE OF 101.69 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING A COMMON CORNER WITH EDWARD AND DEBORAH PEART; THENCE, N89°49'36"W FOR A DISTANCE OF 617.64 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING THE NORTHEASTERN MOST CORNER OF THE WILLIAM AND JILL GOODMAN PROPERTY; THENCE, N89°46'37"W FOR A DISTANCE OF 532.95 FEET TO A PINCHED TOP IRON FOUND, SAID IRON BEING THE NORTHEASTERN MOST CORNER OF DENNIS AND SELENA RUSH AND BEING A COMMON CORNER WITH GOODMAN; THENCE, N89°47'51"W FOR A DISTANCE OF 280.22 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE BEING THE SOUTHWESTERN COMMON CORNER WITH BRIAN OLIVE; THENCE ALONG THE COMMON LINE WITH OLIVE A BEARING N 00°11' 11"E FOR A DISTANCE OF 272.20 FEET TO AN IRON PIPE FOUND; THENCE N00°11'11"E FOR A DISTANCE OF 484.52 FEET TO A POINT, SAID POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142); THENCE, N 00°11'11"E FOR A DISTANCE OF 30.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FOLLOWING THE CENTERLINE OF HUMIE OLIVE ROAD THE FOLLOWING TWENTY FOUR CALLS: THENCE, S79°56'56"E FOR A DISTANCE OF 15.49 FEET TO A POINT; THENCE, S76°36'37"E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE, S71°54'37"E FOR A DISTANCE OF 49.92 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 21.22 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 28.73 FEET TO A POINT; THENCE, S67°48'08"E FOR A DISTANCE OF 17.56 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE, S67°51'05"E FOR A DISTANCE OF 32.37 FEET TO A POINT; THENCE, S64°43'10"E FOR A DISTANCE OF 99.91 FEET TO A POINT; THENCE, S61°40'23"E FOR A DISTANCE OF 61.40 FEET TO A POINT; THENCE, S62°07'30"E FOR A DISTANCE OF 38.78 FEET TO A POINT; THENCE, S 58°43'00"E FOR A DISTANCE OF 150.03 FEET TO A POINT; THENCE, S61°52'27"E FOR A DISTANCE OF 49.83 FEET TO A POINT; THENCE, S67°24'08"E FOR A DISTANCE OF 50.11 FEET TO A POINT; THENCE, S74°44'10"E FOR A DISTANCE OF 50.55 FEET TO A POINT; THENCE, S81°32'41"E FOR A DISTANCE OF 49.41 FEET TO A POINT;

THENCE, S85°55'19"E FOR A DISTANCE OF 49.79 FEET TO A POINT; THENCE, N89°18'11"E FOR A DISTANCE OF 49.93 FEET TO A POINT; THENCE, N84°27'44"E FOR A DISTANCE OF 47.90 FEET TO A POINT; THENCE, N82°55'35"E FOR A DISTANCE OF 63.56 FEET TO A POINT; THENCE, N80°49'28"E FOR A DISTANCE OF 99.97 FEET TO A POINT; THENCE, N80°40'19"E FOR A DISTANCE OF 115.15 FEET TO A POINT; THENCE, N81°08'07"E FOR A DISTANCE OF 121.56 FEET TO A POINT; THENCE, N80°48'23"E FOR A DISTANCE OF 98.53 FEET TO A POINT; THENCE, N81°04'37"E FOR A DISTANCE OF 19.75 FEET TO A POINT, SAID POINT BEING KNOWN AS THE POINT AND PLACE OF BEGINNING, HAVING AN AREA OF 816,193 SQUARE FEET, OR 18.737 ACRES OF WHICH 42,998 SQUARE FEET OR 0.987 ACRES ARE WITHIN THE 60 FOOT RIGHT OF WAY FOR HUMIE OLIVE ROAD (NCSR 1142).



VICINITY MAP

Line Table

Line #	Direction	Length
L1	S79°56'58"E	15.49'
L2	S76°36'37"E	50.00'
L3	S71°54'37"E	49.92'
L4	S69°08'04"E	21.22'
L5	S69°08'04"E	28.73'
L6	S67°48'08"E	17.56'
L7	S67°51'05"E	32.37'
L8	S64°43'10"E	99.91'
L9	S61°40'23"E	61.40'
L10	S62°07'30"E	38.78'
L11	S58°43'01"E	150.03'
L12	S61°52'28"E	49.83'
L13	S67°24'09"E	50.11'
L14	S74°44'11"E	50.55'
L15	S81°32'42"E	49.41'
L16	S85°55'20"E	49.79'
L17	N89°18'11"E	49.93'
L18	N84°27'44"E	47.90'
L19	N82°55'35"E	63.96'
L20	N80°49'28"E	99.97'
L21	N80°40'19"E	115.15'
L22	N81°08'07"E	121.56'
L23	N80°48'24"E	98.53'
L24	N81°04'38"E	19.75'
L25	S06°55'52"E	30.02'
L26	N81°04'38"E	18.62'
L27	N80°48'24"E	98.55'
L28	N81°08'07"E	121.52'
L29	N80°40'19"E	115.07'

Line Table

Line #	Direction	Length
L30	N80°49'28"E	100.56'
L31	N82°55'35"E	64.51'
L32	N84°27'44"E	49.57'
L33	N89°18'11"E	52.45'
L34	S85°55'20"E	52.19'
L35	S81°32'42"E	52.34'
L36	S74°44'11"E	54.26'
L37	S67°24'09"E	53.48'
L38	S61°52'28"E	52.11'
L39	S58°43'01"E	149.96'
L40	S62°07'30"E	22.12'
L41	S62°07'30"E	15.88'
L42	S61°40'23"E	60.72'
L43	S64°43'10"E	98.29'
L44	S67°51'05"E	19.43'
L45	S67°48'08"E	17.21'
L46	S69°08'04"E	28.38'
L47	S69°08'04"E	20.49'
L48	S71°54'37"E	47.96'
L49	S76°36'37"E	47.89'
L50	S79°56'58"E	9.40'
L51	N00°11'11"E	30.45'
L52	S00°08'58"W	32.36'
L53	N00°09'22"E	33.89'
L54	S07°27'31"E	2.87'
L55	S89°35'58"E	29.73'
L56	N89°27'50"E	14.10'
L57	N67°08'13"W	7.35'
L58	S58°56'28"W	45.70'

ABBREVIATIONS

AG ABOVE GROUND
BG BELOW GROUND
BM BOOK OF MAPS
DB DEED BOOK
EOP EDGE OF PAVEMENT
IPF IRON PIPE FOUND
IPS IRON PIPE SET
N/F NOW OR FORMERLY
PG PAGE
POB POINT OF BEGINNING
R/W RIGHT OF WAY
TYP TYPICAL
RR RAILROAD
SFD SINGLE FAMILY DWELLING
RCP REINFORCED CONCRETE PIPE

SURVEY REFERENCES

BOOK OF MAPS 1998 PAGE 1315 (CURRENT)
BOOK OF MAPS 1998 PAGE 646 (CURRENT)
BOOK OF MAPS 2003 PAGE 1536
BOOK OF MAPS 1998 PAGE 519
BOOK OF MAPS 1998 PAGE 834
BOOK OF MAPS 1981 PAGE 365
BOOK OF MAPS 1978 PAGE 383
BOOK OF MAPS 1977 PAGE 878
BOOK OF MAPS 1938 PAGE 125
DEED BOOK 9835 PAGE 2365 (CURRENT)
DEED BOOK 11528 PAGE 2314
DEED BOOK 11470 PAGE 964
DEED BOOK 6306 PAGE 698
DEED BOOK 8107 PAGE 283
DEED BOOK 14233 PAGE 2354
DEED BOOK 732 PAGE 390
DEED BOOK 939 PAGE 313
DEED BOOK 963 PAGE 105
DEED BOOK 1821 PAGE 555
DEED BOOK 8060 PAGE 2191
DEED BOOK 2183 PAGE 129
DEED BOOK 11502 PAGE 1300
DEED BOOK 17145 PAGE 1693
DEED BOOK 17434 PAGE 1862
DEED BOOK 17441 PAGE 16

GENERAL NOTES

1) THE PURPOSE OF THIS SURVEY IS TO PERFORM AN NON-CONTIGUOUS ANNEXATION SURVEY ON THE PROPERTY OF YUMEEWARRA FARM, LLC WITH DEED REFERENCE OF BOOK 9835 PAGE 2365 RECORDED IN THE WAKE COUNTY REGISTRY, BEARING NC PIN / REID 0710-99-3712 / 0244622, 0710-89-7972 / 0224441, 0711-80-5090 / 0224444 AND BEING LOCATED IN BUCKHORN TOWNSHIP

2) THIS SURVEYOR DOES NOT CERTIFY TO ANY ADDITIONAL EXISTENCE OR NON-EXISTENCE OF ANY ADDITIONAL UNDERGROUND UTILITIES THAT MAY OR MAY NOT EXIST WITHIN THE BOUNDARIES AS SHOWN HEREON

3) UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M)

4) ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID"

5) ALL PROPERTY CORNERS SET ARE 1/2" IRON PIPES SET FLUSH WITH THE EXISTING GROUND AT THE TIME OF SURVEY UNLESS OTHERWISE NOTED

6) ALL PROPERTY CORNERS FOUND ARE 5/8" IRON PIPES FOUND FLUSH WITH THE EXISTING GROUND AT THE TIME OF SURVEY UNLESS OTHERWISE NOTED

7) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING THE SAME

LAND DESCRIPTION AREA OF PROPOSED ANNEXATION

TOWNSHIP: BUCKHORN
COUNTY: WAKE

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PI: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' AND EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.

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SURVEY CONTROL / GRID TIE NOTES

1) CLASS OF SURVEY: CLASS A
2) POSITIONAL ACCURACY: H: 0.06'
3) TYPE OF GPS FIELD PROCEDURE: REAL TIME KINEMATICS NETWORKS (VRS)
4) DATE OF GPS SURVEY: APRIL 28, 2017
5) HORIZONTAL DATUM: NAD83 (2011) NC STATE PLANE COORDINATE SYSTEM
6) PUBLISHED GRID CONTROL USE:
HORIZONTAL/VERTICAL
NAME: JORDAN LAKE CORS ARP
LATITUDE: 35°46'52.49646"
LONGITUDE: 79°02'03.92766"
ELEVATION: 77.43 m
7) GEOID MODEL: GEOID 128
8) COMBINED FACTOR: 0.99991519
9) UNITS: U.S. SURVEY FEET
10) POINT OF LOCALIZATION: CE GROUP PT #2 60D "MAG HUB" NAIL
11) GPS ANTENNA: TOPCON HYPER+ (SERIAL # 391-0795)
12) ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER V3.8x

NAME: JORDAN LAKE CORS ARP
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12) ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER V3.8x

ANNEXATION #

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____, 20____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY/MONTH/YEAR _____

DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
-SEAL-

ANNEXATION #

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____, 20____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY/MONTH/YEAR _____

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DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
-SEAL-

CE GROUP

301 GLENWOOD AVE. 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-233-0032

www.cegroupinc.com

License # C-1739

ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTY OF YUMEEWARRA FARM, LLC
DEED BOOK 9835 PAGE 2365
8633 HUMIE OLIVE ROAD, APEX N.C.
BUCKHORN TOWNSHIP - COUNTY OF WAKE

Date: OCTOBER 23, 2020

Scale: 1" = 100'

Drawn: TM

Checked: JSS

Project No. 127-227

Computer Dwg. Name Survey\127-227_Humie_Olive_Annex.dwg

Sheet No. 1 Of 1

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0224444**PIN # **0711805090**Account
SearchLocation Address
0 HUMIE OLIVE RDProperty Description
SUSIE G OLIVE PROPERTY TR7 BM1998-00646[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner YUMEEWARRA FARM LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 8633 HUMIE OLIVE RD APEX NC 27502-8976	Property Location Address 0 HUMIE OLIVE RD RALEIGH NC 00000-0000
Administrative Data Old Map # 668-- Map/Scale 0711 04 VCS 03WC900 City Fire District 23 Township BUCKHORN Land Class VACANT ETJ WC Spec Dist(s) Zoning R-40W History ID 1 History ID 2 Acreage 1.87 Permit Date Permit #		Transfer Information Deed Date 1/6/2003 Book & Page 09835 2365 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date 7/24/1998 Land Sale Price \$33,750 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value Assessed \$112,584 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$112,584

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0224441**PIN # **0710897972**Account
SearchLocation Address
0 HUMIE OLIVE RDProperty Description
SUSIE G OLIVE PROPERTY TR3 BM1998-00646[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner YUMEEWARRA FARM LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 8633 HUMIE OLIVE RD APEX NC 27502-8976	Property Location Address 0 HUMIE OLIVE RD RALEIGH NC 00000-0000
Administrative Data Old Map # 668-- Map/Scale 0710 02 VCS 03WC900 City Fire District 23 Township BUCKHORN Land Class VACANT ETJ WC Spec Dist(s) Zoning R-40W History ID 1 History ID 2 Acreage 1.86 Permit Date Permit #		Transfer Information Deed Date 1/6/2003 Book & Page 09835 2365 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date 7/24/1998 Land Sale Price \$33,750 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value Assessed \$62,496 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferral Historic Deferral Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$62,496

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0244622** PIN # **0710993712**Account
Search
 Location Address
8633 HUMIE OLIVE RD

Property Description

LO2 MYRTLE O HOLLAND ETAL PRP BM1998-1315
[Pin/Parcel History](#)
[Search Results](#)
[New Search](#)

[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner YUMEEWARRA FARM LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 8633 HUMIE OLIVE RD APEX NC 27502-8976	Property Location Address 8633 HUMIE OLIVE RD APEX NC 27502-8976
Administrative Data Old Map # 668-- Map/Scale 0710 02 VCS 03WC900 City Fire District 23 Township BUCKHORN Land Class AC>10-HS ETJ WC Spec Dist(s) Zoning R-40W History ID 1 History ID 2 Acreage 14.02 Permit Date 8/4/1998 Permit # 0000990265		Transfer Information Deed Date 1/6/2003 Book & Page 09835 2365 Revenue Stamps Pkg Sale Date 7/24/1998 Pkg Sale Price \$229,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 2,512	Assessed Value Land Value Assessed \$699,960 Bldg. Value Assessed \$411,681 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$1,111,641

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

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RESOLUTION SETTING DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S. § 160A-31 AS AMENDED

Annexation Petition #702
Yumeewarra Farm Assembly

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 26th day of January 2021.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 12th day of January 2021.

Jacques K. Gilbert, Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC, Town Clerk

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #:	<u>702</u>	Submittal Date:	<u>11/2/2020</u>
Fee Paid	<u>\$ 200</u>	Check #	<u>3107</u>

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Yumeewarra Farm LLC

Owner Name (Please Print)

0711-80-5090

Property PIN or Deed Book & Page #

Phone

E-mail Address

Yumeewarra Farm LLC

Owner Name (Please Print)

0710-89-7972

Property PIN or Deed Book & Page #

Phone

E-mail Address

Yumeewarra Farm LLC

Owner Name (Please Print)

0710-99-3712

Property PIN or Deed Book & Page #

Phone

E-mail Address

Surveyor Information

Surveyor: CE Group (Shane Strickland)

Phone: (919) 367-8790

Fax: (919) 233-0032

E-mail Address: shane@cegroupinc.com

Annexation Summary Chart

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	<u>18.737 acres</u>	Need water service due to well failure	<input type="checkbox"/>
Population of acreage to be annexed:	<u>2</u>	Need sewer service due to septic system failure	<input type="checkbox"/>
Existing # of housing units:	<u>1</u>	Water service (new construction)	<input checked="" type="checkbox"/>
Proposed # of housing units:	<u>53</u>	Sewer service (new construction)	<input checked="" type="checkbox"/>
Zoning District*:	<u>R-40W</u>	Receive Town Services	<input checked="" type="checkbox"/>

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 702

Submittal Date: 11/2/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Yumeewarra Farm LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Limited Liability Company Yumeewarra Farm LLC

By:

[Signature]
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE Lee

Sworn and subscribed before me, Keith Arnold Bell, a Notary Public for the above State and County, this the 21 day of October, 2020.



Keith Arnold Bell
Notary Public

My Commission Expires: 12/18/2021

COMPLETE IF PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Partnership _____

By: _____

Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the ____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

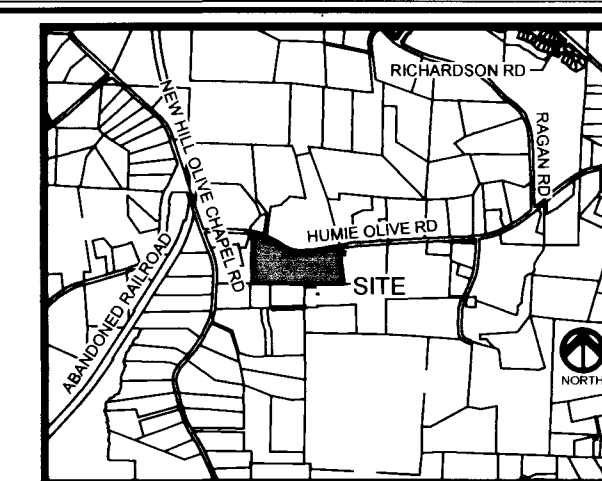
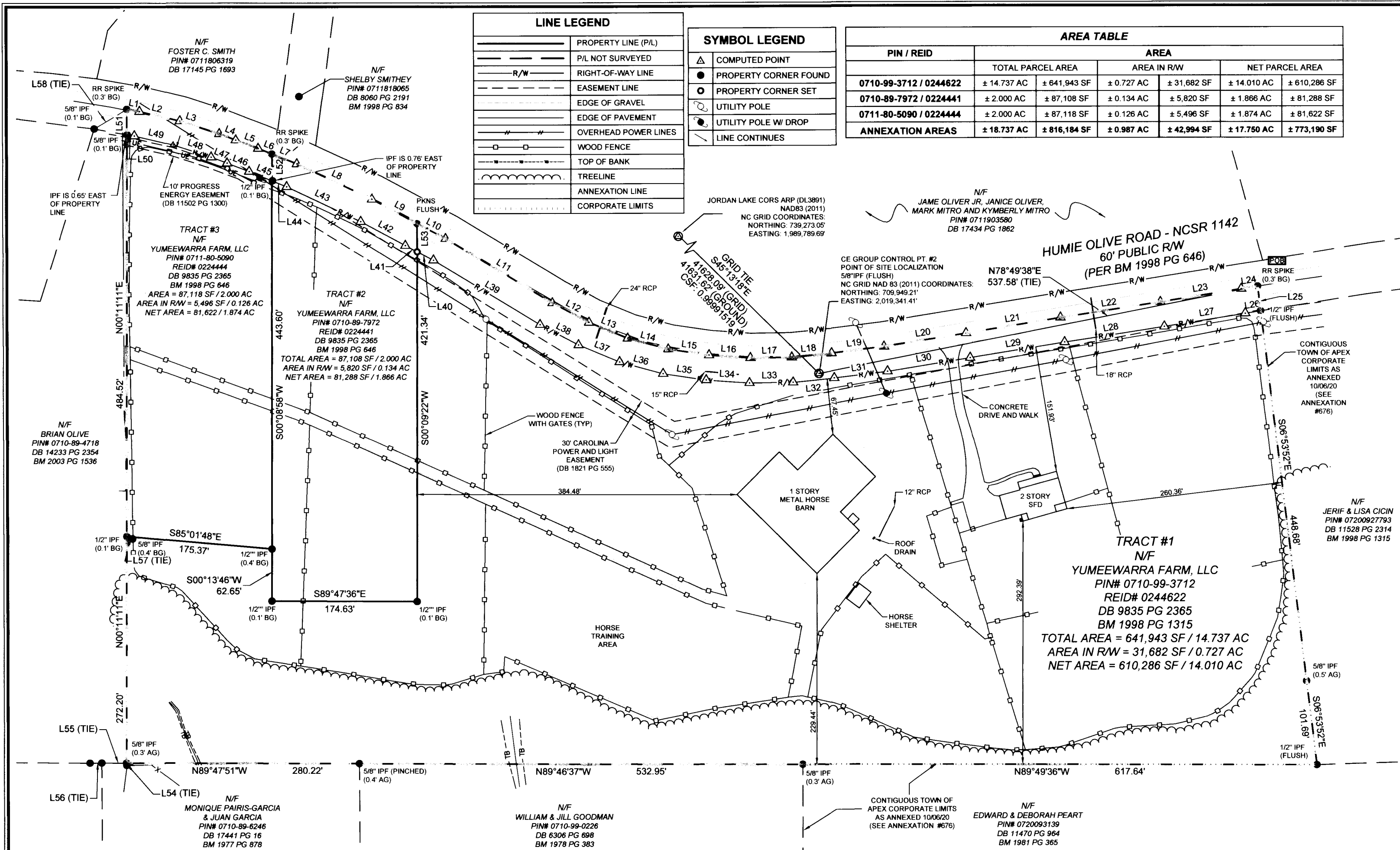
Yumeewarra Farm, LLC

Legal Description

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PID: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' & EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FROM SAID POINT OF BEGINNING A BEARING OF S06°53'52"E FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142) HAVING A 60 FOOT RIGHT OF WAY; THENCE ALONG THE COMMON LINE BETWEEN YUMEEWARRA FARM, LLC AND JERIF AND LISA CICIN A BEARING OF S06°53'52"E FOR A DISTANCE OF 448.68 FEET TO AN IRON PIPE FOUND; THENCE, S06°53'52"E FOR A DISTANCE OF 101.69 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING A COMMON CORNER WITH EDWARD AND DEBORAH PEART; THENCE, N89°49'36"W FOR A DISTANCE OF 617.64 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING THE NORTHEASTERN MOST CORNER OF THE WILLIAM AND JILL GOODMAN PROPERTY; THENCE, N89°46'37"W FOR A DISTANCE OF 532.95 FEET TO A PINCHED TOP IRON FOUND, SAID IRON BEING THE NORTHEASTERN MOST CORNER OF DENNIS AND SELENA RUSH AND BEING A COMMON CORNER WITH GOODMAN; THENCE, N89°47'51"W FOR A DISTANCE OF 280.22 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE BEING THE SOUTHWESTERN COMMON CORNER WITH BRIAN OLIVE; THENCE ALONG THE COMMON LINE WITH OLIVE A BEARING N 00°11' 11"E FOR A DISTANCE OF 272.20 FEET TO AN IRON PIPE FOUND; THENCE N00°11'11"E FOR A DISTANCE OF 484.52 FEET TO A POINT, SAID POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142); THENCE, N 00°11'11"E FOR A DISTANCE OF 30.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FOLLOWING THE CENTERLINE OF HUMIE OLIVE ROAD THE FOLLOWING TWENTY FOUR CALLS: THENCE, S79°56'56"E FOR A DISTANCE OF 15.49 FEET TO A POINT; THENCE, S76°36'37"E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE, S71°54'37"E FOR A DISTANCE OF 49.92 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 21.22 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 28.73 FEET TO A POINT; THENCE, S67°48'08"E FOR A DISTANCE OF 17.56 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE, S67°51'05"E FOR A DISTANCE OF 32.37 FEET TO A POINT; THENCE, S64°43'10"E FOR A DISTANCE OF 99.91 FEET TO A POINT; THENCE, S61°40'23"E FOR A DISTANCE OF 61.40 FEET TO A POINT; THENCE, S62°07'30"E FOR A DISTANCE OF 38.78 FEET TO A POINT; THENCE, S 58°43'00"E FOR A DISTANCE OF 150.03 FEET TO A POINT; THENCE, S61°52'27"E FOR A DISTANCE OF 49.83 FEET TO A POINT; THENCE, S67°24'08"E FOR A DISTANCE OF 50.11 FEET TO A POINT; THENCE, S74°44'10"E FOR A DISTANCE OF 50.55 FEET TO A POINT; THENCE, S81°32'41"E FOR A DISTANCE OF 49.41 FEET TO A POINT;

THENCE, S85°55'19"E FOR A DISTANCE OF 49.79 FEET TO A POINT; THENCE, N89°18'11"E FOR A DISTANCE OF 49.93 FEET TO A POINT; THENCE, N84°27'44"E FOR A DISTANCE OF 47.90 FEET TO A POINT; THENCE, N82°55'35"E FOR A DISTANCE OF 63.56 FEET TO A POINT; THENCE, N80°49'28"E FOR A DISTANCE OF 99.97 FEET TO A POINT; THENCE, N80°40'19"E FOR A DISTANCE OF 115.15 FEET TO A POINT; THENCE, N81°08'07"E FOR A DISTANCE OF 121.56 FEET TO A POINT; THENCE, N80°48'23"E FOR A DISTANCE OF 98.53 FEET TO A POINT; THENCE, N81°04'37"E FOR A DISTANCE OF 19.75 FEET TO A POINT, SAID POINT BEING KNOWN AS THE POINT AND PLACE OF BEGINNING, HAVING AN AREA OF 816,193 SQUARE FEET, OR 18.737 ACRES OF WHICH 42,998 SQUARE FEET OR 0.987 ACRES ARE WITHIN THE 60 FOOT RIGHT OF WAY FOR HUMIE OLIVE ROAD (NCSR 1142).



VICINITY MAP

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	S79°56'58"E	15.49'	L30	N80°49'28"E	100.56'
L2	S78°36'37"E	50.00'	L31	N82°55'35"E	64.51'
L3	S71°54'37"E	49.92'	L32	N84°27'44"E	49.57'
L4	S69°08'04"E	21.22'	L33	N89°18'11"E	52.45'
L5	S69°08'04"E	28.73'	L34	S85°55'20"E	52.19'
L6	S67°48'08"E	17.56'	L35	S81°32'42"E	52.34'
L7	S67°51'05"E	32.37'	L36	S74°44'11"E	54.26'
L8	S64°43'10"E	99.91'	L37	S67°24'09"E	53.48'
L9	S61°40'23"E	61.40'	L38	S61°52'28"E	52.11'
L10	S62°07'30"E	38.78'	L39	S58°43'01"E	149.96'
L11	S58°43'01"E	150.03'	L40	S62°07'30"E	22.12'
L12	S61°52'28"E	49.83'	L41	S62°07'30"E	15.88'
L13	S67°24'09"E	50.11'	L42	S61°40'23"E	60.72'
L14	S74°44'11"E	50.55'	L43	S64°43'10"E	98.29'
L15	S81°32'42"E	49.41'	L44	S67°51'05"E	19.43'
L16	S85°55'20"E	49.79'	L45	S67°48'08"E	17.21'
L17	N89°18'11"E	49.93'	L46	S69°08'04"E	28.38'
L18	N84°27'44"E	47.90'	L47	S69°08'04"E	20.49'
L19	N82°55'35"E	63.96'	L48	S71°54'37"E	47.96'
L20	N80°49'28"E	99.97'	L49	S76°36'37"E	47.89'
L21	N80°40'19"E	115.15'	L50	S79°56'58"E	9.40'
L22	N81°08'07"E	121.56'	L51	N00°11'11"E	30.45'
L23	N80°48'24"E	98.53'	L52	S00°08'58"W	32.36'
L24	N81°04'38"E	19.75'	L53	N00°09'22"E	33.89'
L25	S06°55'52"E	30.02'	L54	S07°27'31"E	2.87'
L26	N81°04'38"E	18.62'	L55	S89°35'58"E	29.73'
L27	N80°48'24"E	98.55'	L56	N89°27'50"E	14.10'
L28	N81°08'07"E	121.52'	L57	N67°08'13"W	7.35'
L29	N80°40'19"E	115.07'	L58	S58°56'28"W	45.70'

ABBREVIATIONS
AG ABOVE GROUND
BG BELOW GROUND
BM BOOK OF MAPS
DB DEED BOOK
EOP EDGE OF PAVEMENT
IPF IRON PIPE FOUND
IPS IRON PIPE SET
N/F NOW OR FORMERLY
PG PAGE
POB POINT OF BEGINNING
R/W RIGHT OF WAY
TYP TYPICAL
RR RAILROAD
SFD SINGLE FAMILY DWELLING
RCP REINFORCED CONCRETE PIPE

SURVEY REFERENCES
BOOK OF MAPS 1998 PAGE 1315 (CURRENT)
BOOK OF MAPS 1998 PAGE 646 (CURRENT)
BOOK OF MAPS 2003 PAGE 1536
BOOK OF MAPS 1998 PAGE 519
BOOK OF MAPS 1998 PAGE 834
BOOK OF MAPS 1981 PAGE 365
BOOK OF MAPS 1978 PAGE 383
BOOK OF MAPS 1977 PAGE 878
BOOK OF MAPS 1938 PAGE 125
DEED BOOK 9835 PAGE 2365 (CURRENT)
DEED BOOK 11528 PAGE 2314
DEED BOOK 11470 PAGE 964
DEED BOOK 6306 PAGE 698
DEED BOOK 8107 PAGE 283
DEED BOOK 14233 PAGE 2354
DEED BOOK 732 PAGE 390
DEED BOOK 939 PAGE 313
DEED BOOK 963 PAGE 105
DEED BOOK 1821 PAGE 555
DEED BOOK 8060 PAGE 2191
DEED BOOK 2183 PAGE 129
DEED BOOK 11502 PAGE 1300
DEED BOOK 17145 PAGE 1693
DEED BOOK 17434 PAGE 1862
DEED BOOK 17441 PAGE 16

I, JAMIE SHANE STRICKLAND CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION RECORDED IN BOOK 9835, PAGE 2365. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES DRAWN FROM INFORMATION FOUND IN BOOK 9835, PAGE 2365. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:100,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL.

THIS 5th DAY OF JAN., A.D. 2021.

JAMIE SHANE STRICKLAND, PLS, CFS L-4669

I, JAMIE SHANE STRICKLAND, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

JAMIE SHANE STRICKLAND, PLS, CFS L-4669

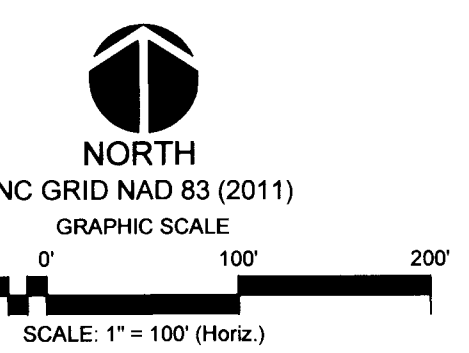


GENERAL NOTES
1) THE PURPOSE OF THIS SURVEY IS TO PERFORM AN NON-CONTIGUOUS ANNEXATION SURVEY ON THE PROPERTY OF YUMEEWARRA FARM, LLC WITH DEED REFERENCE OF BOOK 9835 PAGE 2365 RECORDED IN THE WAKE COUNTY REGISTRY, BEARING NC PIN / REID 0710-99-3712 / 0244622, 0710-89-7972 / 0224441, 0711-80-5090 / 0224444 AND BEING LOCATED IN BUCKHORN TOWNSHIP.
2) THIS SURVEYOR DOES NOT CERTIFY TO ANY ADDITIONAL EXISTENCE OR NON-EXISTENCE OF ANY ADDITIONAL UNDERGROUND UTILITIES THAT MAY OR MAY NOT EXIST WITHIN THE BOUNDARIES AS SHOWN HEREON.
3) UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M).
4) ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
5) ALL PROPERTY CORNERS SET ARE 1/2" IRON PIPES SET FLUSH WITH THE EXISTING GROUND AT THE TIME OF SURVEY UNLESS OTHERWISE NOTED.
6) ALL PROPERTY CORNERS FOUND ARE 5/8" IRON PIPES FOUND FLUSH WITH THE EXISTING GROUND AT THE TIME OF SURVEY UNLESS OTHERWISE NOTED.
7) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING THE SAME.

LAND DESCRIPTION AREA OF PROPOSED ANNEXATION
TOWNSHIP: BUCKHORN
COUNTY: WAKE
COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PID: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' AND EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.
BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FROM SAID POINT OF BEGINNING A BEARING OF S06°53'52"E FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142) HAVING A 60 FOOT RIGHT OF WAY; THENCE ALONG THE COMMON LINE BETWEEN YUMEEWARRA FARM, LLC AND JERIF & LISA CIGIN A BEARING OF S06°53'52"E FOR A DISTANCE OF 448.88 FEET TO AN IRON PIPE FOUND; THENCE, S06°53'52"E FOR A DISTANCE OF 101.69 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING A COMMON CORNER WITH EDWARD AND DEBORAH PEART; THENCE, N89°49'36"W FOR A DISTANCE OF 617.64 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING THE NORTH-EASTERN MOST CORNER OF THE WILLIAM AND JILL GOODMAN PROPERTY; THENCE, N89°49'37"W FOR A DISTANCE OF 532.95 FEET TO A PINCHED TOP IRON FOUND, SAID IRON BEING THE NORTH-EASTERN MOST CORNER OF MONIQUE & JUAN GARCIA AND BEING A COMMON CORNER WITH GOODMAN; THENCE, N89°47'51"W FOR A DISTANCE OF 280.22 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE BEING THE SOUTHWESTERN COMMON CORNER WITH BRIAN OLIVE; THENCE ALONG THE COMMON LINE WITH OLIVE A BEARING N00°11'11"E FOR A DISTANCE OF 272.20 FEET TO AN IRON PIPE FOUND; THENCE N00°11'11"E FOR A DISTANCE OF 484.52 FEET TO A POINT, SAID POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142); THENCE, N00°11'11"E FOR A DISTANCE OF 30.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FOLLOWING THE CENTERLINE OF HUMIE OLIVE ROAD THE FOLLOWING TWENTY FOUR CALLS: THENCE, S79°56'58"E FOR A DISTANCE OF 15.49 FEET TO A POINT; THENCE, S78°36'37"E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE, S71°54'37"E FOR A DISTANCE OF 49.92 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 21.22 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 28.73 FEET TO A POINT; THENCE, S67°48'08"E FOR A DISTANCE OF 17.56 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE, S67°51'05"E FOR A DISTANCE OF 32.37 FEET TO A POINT; THENCE, S64°43'10"E FOR A DISTANCE OF 99.91 FEET TO A POINT; THENCE, S61°40'23"E FOR A DISTANCE OF 61.40 FEET TO A POINT; THENCE, S62°07'30"E FOR A DISTANCE OF 38.78 FEET TO A POINT; THENCE, S58°43'01"E FOR A DISTANCE OF 150.03 FEET TO A POINT; THENCE, S61°52'28"E FOR A DISTANCE OF 49.83 FEET TO A POINT; THENCE, S67°24'09"E FOR A DISTANCE OF 50.11 FEET TO A POINT; THENCE, S74°44'11"E FOR A DISTANCE OF 50.55 FEET TO A POINT; THENCE, S81°32'42"E FOR A DISTANCE OF 49.41 FEET TO A POINT; THENCE, S85°55'20"E FOR A DISTANCE OF 49.79 FEET TO A POINT; THENCE, N89°18'11"E FOR A DISTANCE OF 49.93 FEET TO A POINT; THENCE, N84°27'44"E FOR A DISTANCE OF 47.90 FEET TO A POINT; THENCE, N82°55'35"E FOR A DISTANCE OF 63.96 FEET TO A POINT; THENCE, N80°49'28"E FOR A DISTANCE OF 99.97 FEET TO A POINT; THENCE, N80°40'19"E FOR A DISTANCE OF 115.15 FEET TO A POINT; THENCE, N81°08'07"E FOR A DISTANCE OF 121.56 FEET TO A POINT; THENCE, N80°48'24"E FOR A DISTANCE OF 98.53 FEET TO A POINT; THENCE, N81°04'38"E FOR A DISTANCE OF 19.75 FEET TO A POINT, SAID POINT BEING KNOWN AS THE POINT AND PLACE OF BEGINNING, HAVING AN AREA OF 816,193 SQUARE FEET, OR 18,737 ACRES OF WHICH 42,998 SQUARE FEET OR 0.987 ACRES ARE WITHIN THE 60 FOOT RIGHT OF WAY FOR HUMIE OLIVE ROAD (NCSR 1142).

SURVEY CONTROL / GRID TIE NOTES
1) CLASS OF SURVEY: CLASS A
2) POSITIONAL ACCURACY: H: 0.06'
3) TYPE OF GPS FIELD PROCEDURE: REAL TIME KINEMATICS NETWORKS (RTS)
4) DATE OF GPS SURVEY: APRIL 28, 2017
5) HORIZONTAL DATUM: NAD83 (2011) NC STATE PLANE COORDINATE SYSTEM
6) PUBLISHED CONTROL USE:
HORIZONTAL/VERTICAL
NAME: JORDAN LAKE CORS ARP
LATITUDE: 35°46'52.49646"
LONGITUDE: 79°02'03.92766"
ELEVATION: 77.43 m
7) GEOID MODEL: GEOID 12B
8) COMBINED FACTOR: 0.99991519
9) UNITS: U.S. SURVEY FEET
10) POINT OF LOCALIZATION: CE GROUP PT #2 60D "MAG HUB" NAIL
11) GPS ANTENNA: TOPCON HYPER+ (SERIAL # 391-0795)
12) ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER V3.8x

PID: DL3891
ELLIPSOID HEIGHT: 45,996 m
GEOID HEIGHT: 31,428 m
EPOCH: 2010.00



ANNEXATION # _____

I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____, 20____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY/MONTH/YEAR _____

DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
-SEAL-

FLOOD CERTIFICATION
UPON EXAMINATION OF FLOOD INSURANCE RATE MAPS, PANEL NUMBER 1851 OF COMMUNITY NUMBER 370244 (WAKE FOREST, TOWN OF), BEARING MAP # 3720185100J, DATED APRIL 16, 2013: THE SUBJECT PROPERTY LIES IN ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN. THERE IS ALSO A PORTION OF THE PROPERTY THAT LIES IN ZONE "AE" WHICH IS DEPICTED HEREON.

PROPERTY DATA
CURRENT OWNER: YUMEEWARRA FARM, LLC
OWNER ADDRESS: 8633 HUMIE OLIVE ROAD APEX, NC 27502
SITE ADDRESS: SAME AS OWNER ADDRESS
PIN: 0710-99-3712, 0710-89-7972, 0711-80-5090
REID: 0244622, 0224441, 0224444
DEED REFERENCE: DB 1604 PG 52
PLAT REFERENCES: BM 1998 PG 1315, BM 1998 PG 646
ZONED: R-40W

05/23/17	EDITED PLAT PER 1ST REVIEW COMMENTS	1.	NO
----------	-------------------------------------	----	----

CE GROUP

301 GLENWOOD AVE. 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-233-0032

www.cegroupinc.com

License # C-1739

ANNEXATION MAP FOR THE TOWN OF APEX
PROPERTY OF YUMEEWARRA FARM, LLC
DEED BOOK 9835 PAGE 2365
8633 HUMIE OLIVE ROAD, APEX N.C.
BUCKHORN TOWNSHIP - COUNTY OF WAKE

Date: OCTOBER 23, 2020

Scale: 1" = 100'

Drawn: TM

Checked: JSS

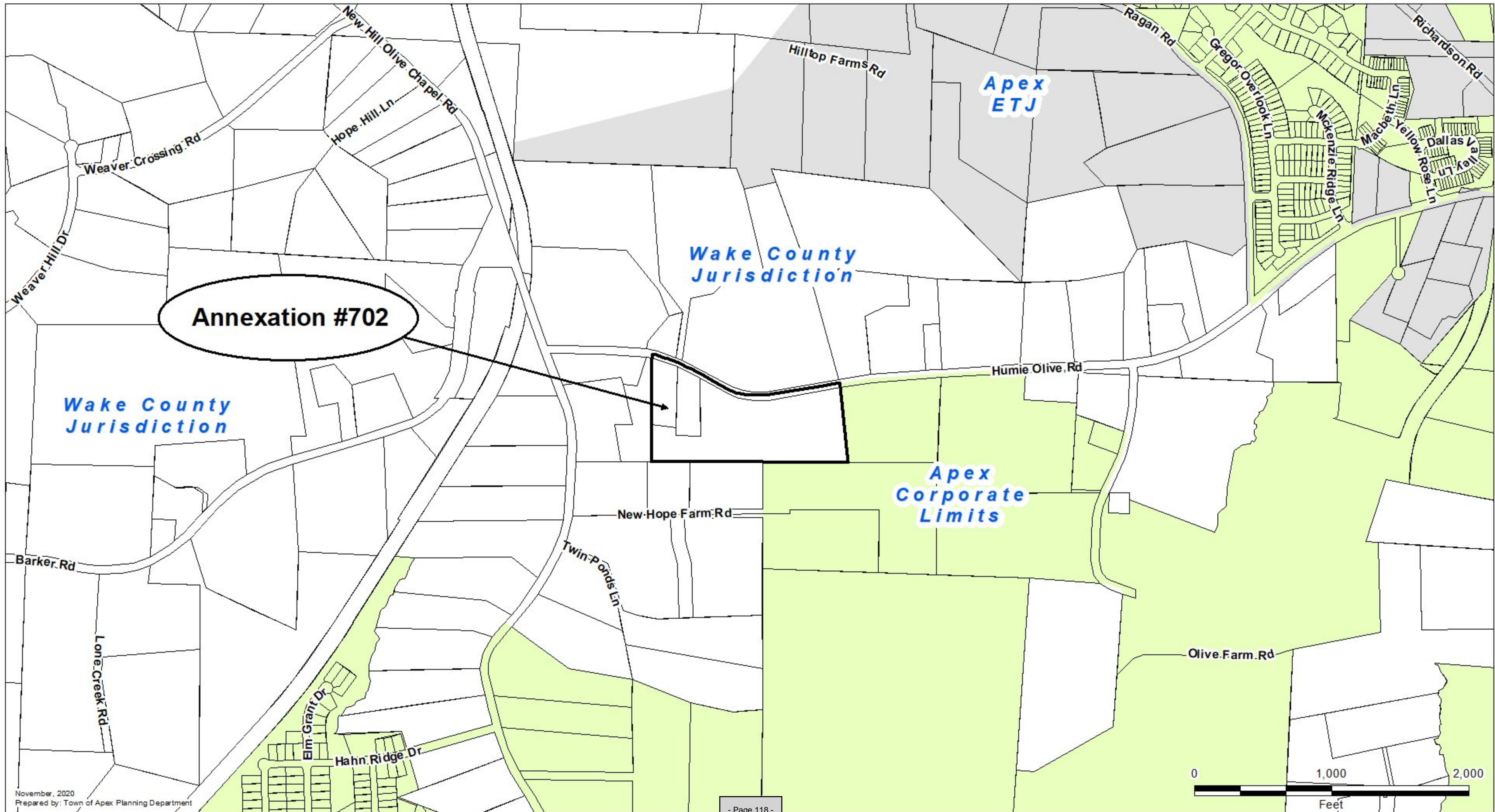
Project No. 127-227

Computer Dwg. Name Survey\127-227_Humie_Olive_Annex.dwg

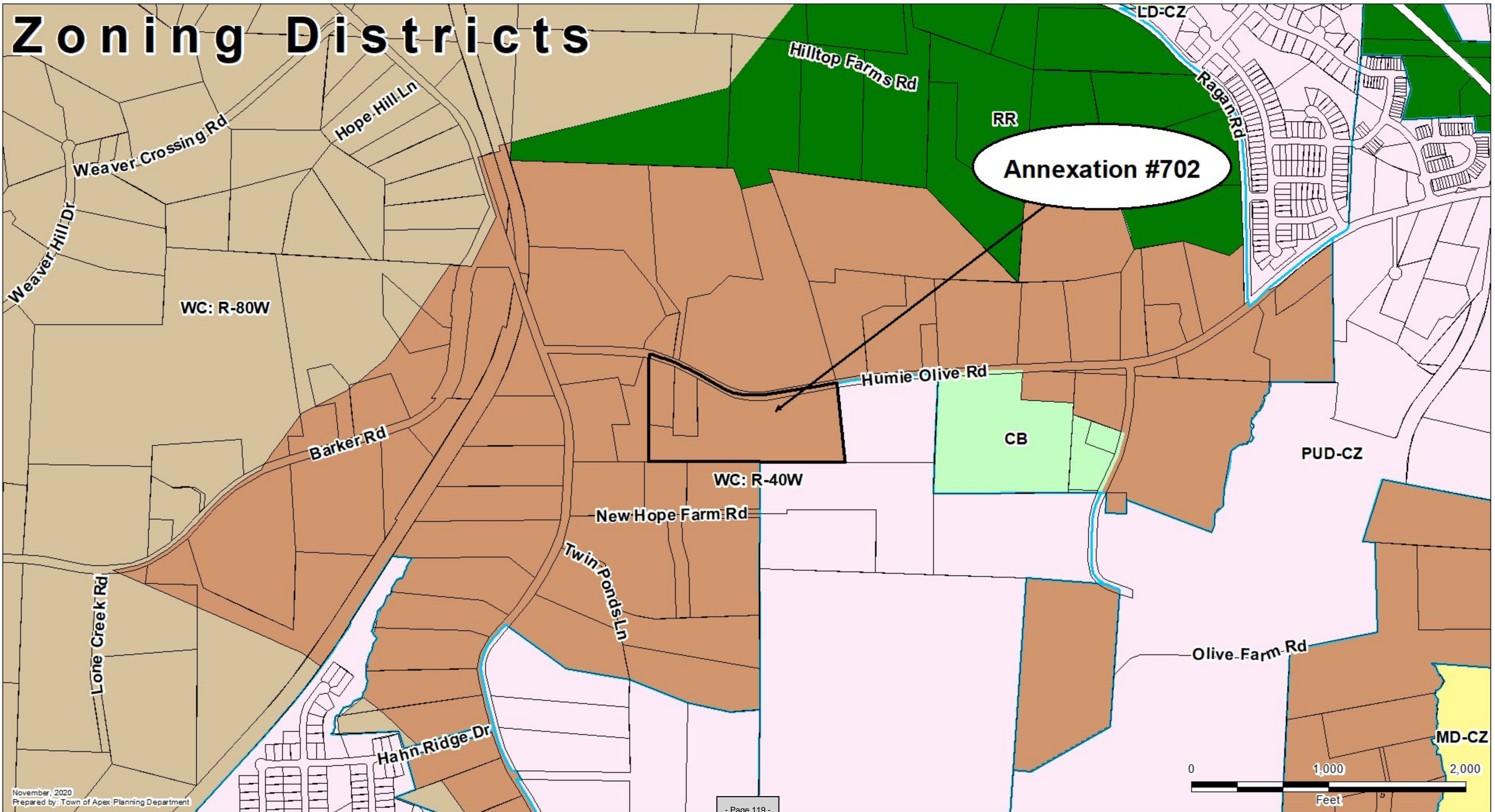
Sheet No. 1 Of 1



Annexation #702



Zoning Districts



Yumeewarra Farm, LLC

Legal Description

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PID: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' & EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FROM SAID POINT OF BEGINNING A BEARING OF S06°53'52"E FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142) HAVING A 60 FOOT RIGHT OF WAY; THENCE ALONG THE COMMON LINE BETWEEN YUMEEWARRA FARM, LLC AND JERIF AND LISA CICIN A BEARING OF S06°53'52"E FOR A DISTANCE OF 448.68 FEET TO AN IRON PIPE FOUND; THENCE, S06°53'52"E FOR A DISTANCE OF 101.69 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING A COMMON CORNER WITH EDWARD AND DEBORAH PEART; THENCE, N89°49'36"W FOR A DISTANCE OF 617.64 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING THE NORTHEASTERN MOST CORNER OF THE WILLIAM AND JILL GOODMAN PROPERTY; THENCE, N89°46'37"W FOR A DISTANCE OF 532.95 FEET TO A PINCHED TOP IRON FOUND, SAID IRON BEING THE NORTHEASTERN MOST CORNER OF DENNIS AND SELENA RUSH AND BEING A COMMON CORNER WITH GOODMAN; THENCE, N89°47'51"W FOR A DISTANCE OF 280.22 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE BEING THE SOUTHWESTERN COMMON CORNER WITH BRIAN OLIVE; THENCE ALONG THE COMMON LINE WITH OLIVE A BEARING N 00°11'11"E FOR A DISTANCE OF 272.20 FEET TO AN IRON PIPE FOUND; THENCE N00°11'11"E FOR A DISTANCE OF 484.52 FEET TO A POINT, SAID POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142); THENCE, N 00°11'11"E FOR A DISTANCE OF 30.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FOLLOWING THE CENTERLINE OF HUMIE OLIVE ROAD THE FOLLOWING TWENTY FOUR CALLS: THENCE, S79°56'58"E FOR A DISTANCE OF 15.49 FEET TO A POINT; THENCE, S76°36'37"E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE, S71°54'37"E FOR A DISTANCE OF 49.92 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 21.22 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 28.73 FEET TO A POINT; THENCE, S67°48'08"E FOR A DISTANCE OF 17.56 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE, S67°51'05"E FOR A DISTANCE OF 32.37 FEET TO A POINT; THENCE, S64°43'10"E FOR A DISTANCE OF 99.91 FEET TO A POINT; THENCE, S61°40'23"E FOR A DISTANCE OF 61.40 FEET TO A POINT; THENCE, S62°07'30"E FOR A DISTANCE OF 38.78 FEET TO A POINT; THENCE, S 58°43'01"E FOR A DISTANCE OF 150.03 FEET TO A POINT; THENCE, S61°52'28"E FOR A DISTANCE OF 49.83 FEET TO A POINT; THENCE, S67°24'09"E FOR A DISTANCE OF 50.11 FEET TO A POINT; THENCE, S74°44'11"E FOR A DISTANCE OF 50.55 FEET TO A POINT; THENCE, S81°32'42"E FOR A DISTANCE OF 49.41 FEET TO A POINT; THENCE, S85°55'20"E FOR A DISTANCE OF 49.79 FEET TO A POINT; THENCE, N89°18'11"E FOR A DISTANCE OF 49.93 FEET TO A POINT; THENCE, N84°27'44"E FOR A DISTANCE OF 47.90 FEET TO A POINT; THENCE, N82°55'35"E FOR A DISTANCE OF 63.56 FEET TO A POINT; THENCE, N80°49'28"E FOR A DISTANCE OF 99.97 FEET TO A POINT; THENCE,

N80° 40'19"E FOR A DISTANCE OF 115.15 FEET TO A POINT; THENCE, N81°08'07"E FOR A DISTANCE OF 121.56 FEET TO A POINT; THENCE, N80°48'24"E FOR A DISTANCE OF 98.53 FEET TO A POINT; THENCE, N81°04'38"E FOR A DISTANCE OF 19.75 FEET TO A POINT, SAID POINT BEING KNOWN AS THE POINT AND PLACE OF BEGINNING, HAVING AN AREA OF 816,193 SQUARE FEET, OR 18.737 ACRES OF WHICH 42,998 SQUARE FEET OR 0.987 ACRES ARE WITHIN THE 60 FOOT RIGHT OF WAY FOR HUMIE OLIVE ROAD (NCSR 1142).

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Sarah Van Every, Senior Planner

Department(s): Planning & Community Development

Requested Motion

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ13 Yumewarra Farm Assembly. The applicant, Bill Zahn, Humie Olive Associates, seeks to rezone approximately 18.737 acres located at 0 & 8633 Humie Olive Road (PINs 0711805090, 0710897972, 0710993712) from Wake County Residential-40W (R-40W) to Low Density Residential-Conditional Zoning (LD-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

Item Details

Attachments

- Vicinity Map
- Application





(REZONING) PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP & 2045 LAND USE MAP AMENDMENT

Town of Apex, North Carolina



REZONING PETITION SUBMISSION: Applications are due by 12:00 pm on the first business day of each month. See the [Rezoning Schedule](#) on the website for details.

REZONING PETITION FEES:

Conditional Zoning: \$900.00

Rezoning: \$600.00*

2045 Land Use Map Amendment: \$700.00

PRE-APPLICATION MEETING: A pre-application meeting with members of the Technical Review Committee is required to be scheduled prior to the submittal of a Rezoning Petition. Pre-application meetings are typically scheduled on the 1st, 2nd and 5th Thursdays of the month.

To schedule a meeting, applicants must e-mail a pdf map, drawing, model, site or sketch plan to Planner Lauren Staudenmaier (lauren.staudenmaier@apexnc.org) no later than five (5) working days prior to the desired meeting day.

PURPOSE OF A CONDITIONAL ZONING:

Conditional Zoning (CZ) Districts are zoning districts in which the development and use of property is subject to the ordinance standards applicable to the corresponding general use district as well as additional rules, regulations, and conditions that are imposed as part of the legislative decision creating the district. A Conditional Zoning (CZ) District allows particular uses to be established only in accordance with site specific standards and conditions pertaining to each individual development project. All site-specific standards and conditions must be consistent with the objectives of these regulations, the adopted 2045 Land Use Map and adopted area plans. The review process established in this part provides for the accommodation of such uses by a reclassification of property into a CZ District, subject to site-specific standards and conditions.

NEIGHBORHOOD MEETING: Neighborhood meetings are required per UDO Section 2.2.7 prior to application submission. The applicant is required to notify property owners and any neighborhood association that represents citizens within that area within 300 feet of the subject property via first class mail a minimum of 10 days in advance of the neighborhood meeting. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. The applicant shall submit the "Certified List of Property Owners" and "Neighborhood Meeting Packet" forms included in this application packet with their initial submittal. The Neighborhood Meeting Packet is located at the very end of this document.

ANNEXATION REQUIREMENTS: If a property or portion thereof subject to this rezoning is outside the corporate limits and ETJ, an [annexation petition](#) is **required** to be submitted on the same day as this application.

Electronic Submittal Requirements: [Submit via IDT](#)

- Upload one full copy of the application and other sheets listed below via IDT.

Hard Copy Submittal Requirements: [Submit to Planning Department](#)

- One (1) original Rezoning Petition Application
- Petition Fee
- Legal Description (metes and bounds)
- Certified List of Property Owners within 300 feet of subject property
- Agent Authorization Form
- Neighborhood Meeting Packet
- If applicable: Annexation Petition, map, legal description and \$200.00 fee
- One (1) set of envelopes addressed to Certified List of Property Owners within 300 feet of subject property and all the HOAs of those properties within 300' of the subject property. Planning staff may require an additional set of envelopes based on the timing of the Planning Board and Town Council meetings.
- Addresses must be from a current list obtained from the Wake County GIS Map Services. A buffer report service is offered for \$1 per page. Please contact them at 919-856-6360 or <http://www.wakegov.com/gis/services/Pages/gisservices.aspx>
- Affixed with first class stamps & the following return address:
Town of Apex
Planning Department
P.O. Box 250
Apex, NC 27502

NEIGHBORHOOD MEETING: Neighborhood meetings are required per UDO Section 2.2.7 prior to application submission. The applicant is required to notify property owners and any neighborhood association that represents citizens within that area within 300 feet of the subject property via first class mail a minimum of 10 days in advance of the neighborhood meeting. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. In their initial submittal, the applicant shall submit the “Certified List of Property Owners” and “Neighborhood Meeting Packet” forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

REVIEW FOR SUFFICIENCY: Incomplete plans will be returned to the applicant and sufficiently complete applications are forwarded to the planning staff for review.

REVIEW BY STAFF: Planning staff reviews the application to determine compliance with the Unified Development Ordinance (UDO). If the application is determined not to be compliant with the UDO, comments will be sent to the applicant. The applicant must address all staff comments before any public hearings are scheduled.

PUBLIC HEARING NOTIFICATION: Notification of the public hearing will take place by three different methods. A written notice will be sent to nearby property owners not more than 25 days nor less than 14 days prior to the public hearings, as required by the UDO. The Planning Department will prepare these written notifications for all property owners of the land subject to the application and all property owners within 300 feet of the land subject to the application. A notice will be published on the Town of Apex website (www.apexnc.org) no less than 10 days, but not more than 25 days, prior to the public hearings, and a notice will be posted at the land subject to the application at least 14 days prior to the public hearings.

1ST PUBLIC HEARING/PLANNING BOARD MEETING: The Planning Board will consider the application, relevant support materials, the Staff Report and public testimony given at the public hearing. After the public hearing the Planning Board will make a recommendation to the Town Council. The Planning Board may recommend approval, approval with conditions or disapproval. The application is then forwarded to the Town Council. The Planning Board meets at 4:30 p.m. in the Town Hall Council Chambers on the date indicated on the Rezoning Schedule.

2ND PUBLIC HEARING/TOWN COUNCIL MEETING: The Town Council will consider the application, relevant support materials, the Staff Report, the Planning Board recommendation and public testimony given at the public hearing. After the public hearing the Town Council will vote to approve, approve with conditions or disapprove the rezoning. The Town Council meets at 6:00 p.m. in the Town Council Chambers on the date indicated on the Rezoning Schedule.

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: _____ Submittal Date: _____
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: Yumeewarra Farm Assembly
Address(es): 0 & 8633 Humie Olive Road, Apex, NC 27502
PIN(s): 0711-80-5090, 0710-89-7972, 0710-99-3712

Acreage: 18.737

Current Zoning: R-40W Proposed Zoning: LD-CZ (Low Density-Conditional Zoning)

Current 2045 LUM Designation: Low Density Residential

Proposed 2045 LUM Designation: N/A

See next page for LUM Amendment.

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: Acreage: _____

Area proposed as non-residential development: Acreage: _____

Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Humie Olive Associates (Bill Zahn)
Address: 113 Duncansby Drive
City: Cary State: NC Zip: 27511
Phone: (919) 522-5626 E-mail: billzahn@bellsouth.net

Owner Information

Name: Yumeewarra Farm LLC
Address: 8633 Humie Olive Road
City: Apex State: NC Zip: 27502
Phone: _____ E-mail: _____

Agent Information

Name: Peak Engineering & Design (Jeff Roach)
Address: 1125 Apex Peakway
City: Apex State: NC Zip: 27502
Phone: (919) 439-0100 E-mail: jroach@peakengineering.com

Other contacts: jedwards@peakengineering.com
dwoods@peakengineering.com
fspinnenweber@peakengineering.com

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: _____ Submittal Date: _____

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: Low Density Residential

Proposed 2045 Land Use Classification: no change

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

N/A

PETITION INFORMATION

Application #: _____ Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from R-40W to LD-CZ. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

PROPOSED USES:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

1	Single-Family	21	
2	Family care home	22	
3	Accessory apartment	23	
4	Utility, minor	24	
5	Park, active	25	
6	Park, passive	26	
7	Greenway	27	
8	Recreation facility, private	28	
9		29	
10		30	
11		31	
12		32	
13		33	
14		34	
15		35	
16		36	
17		37	
18		38	
19		39	
20		40	

PETITION INFORMATION

Application #: _____

Submittal Date: _____

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

Please see attached sheet for proposed zoning conditions.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

The proposed residential development will not require a modification to the 2045 Land Use Map and is in

keeping with the adopted plans from the Town of Apex. The LD zoning district restricts density to a maximum of

3.0 dwelling units/acre and complies with the 2045 Land Use Map.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The proposed residential use is in keeping with the surrounding uses (residential) as well as compliance with

the Town Future Land Use Map for residential at this location. Buffers being provided are based upon UDO standards

to assure compatibility with surrounding properties. Building architectural standards are also provided to assure

compatibility.

PETITION INFORMATION

Application #:

Submittal Date:

3) Zoning district supplemental standards. The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4, Supplemental Standards, if applicable.

The site and proposed use(s) will comply with UDO Section 4.4 - Supplemental Standards as applicable.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

The rezoning proposes use restrictions, a maximum density, perimeter buffers, established RCA, stormwater controls, utility extensions, architectural standards and compliance with various UDO standards to assure minimization of impacts on surrounding properties.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The site is proposed to meet UDO standards for stormwater controls, minimization and avoidance of environmentally sensitive areas, preservation of perimeter landscaping/buffers, and grading only to the extent require for the infrastructure and home sites.

6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

The site is located close to or will extend ex public facilities, including water, sewer, stormwater, gas, electric and telephone to the property. Recently approved developments in the area are bringing said services along with roadway improvements for easy emergency vehicles access.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The proposed residential development will not be detrimental to the health, safety, and welfare of Apex residents. The proposed will provided housing options for current and future Apex residents.

PETITION INFORMATION

Application #: _____

Submittal Date: _____

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

The use is in keeping with the adopted plans and compatible with the existing surrounding properties. The residential use will not be detrimental to adjacent properties with the buffers and setbacks from property lines.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The residential use and limited number of dwellings does not constitute a nuisance or hazard based upon the anticipated project size, density, and required utility extensions.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The proposed development will meet the standards within various sections of the Town of Apex UDO not otherwise noted in the zoning application.

HUMIE OLIVE RESIDENTIAL (YUMEEWARRA FARM)
CONDITIONS OF ZONING

Single-Family Detached Residential:

1. The project density will not exceed 3.00 dwelling units/acre. Maximum number of units is 56 dwelling units. Minimum lot size shall be 5,865 sqft.
2. The project will provide a minimum of two (2) points of access if over fifty (50) residential lots are proposed. Project shall be accessed on Humie Olive Road, a stub provided to the N/F Edward & Deborah Peart property (PIN 0720-09-3139), consistent with the location of the stub streets approved in the Heelan PUD, or as agreed upon with the Town of Apex Planning and Transportation staff during Master Subdivision Plan review and approval.
3. All homes shall have a crawl space or raised foundation which at a minimum rises 20 inches from average grade across the front of the house to the finished floor level at the front door. Zero-entry homes without the 20-inch rise are permitted if 1st- floor owner suite is provided. Lots permitted as “zero-entry” shall be noted on the Final Plat.
4. Setbacks shall be as follows to correspond with the approved Heelan PUD:
 - Front: Reduce from 25’ minimum to 20’ minimum
 - Side: Reduce from 8’ minimum with a 20’ aggregate to a 5’ minimum
 - Rear: Reduce from 25’ minimum to 15’ minimum
 - Corner side: Reduce from 18’ minimum to 15’ minimum
5. The project will provide sidewalk on both sides of all internal streets.
6. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
7. Eaves shall project at least 12 inches from the wall of the structure.
8. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

• Windows	• Decorative shake
• Bay window	• Decorative gable
• Recessed or Decorative window	• Decorative air vents on gable
• Trim around the window	• Decorative cornice
• Wrap around porch or side porch	• Column
• Two or more building materials	• Portico
• Decorative brick/stone	• Balcony
• Decorative trim	• Dormer
9. A varied color palette shall be utilized on homes throughout the subdivision, to include a minimum of three (3) color families for siding and shall include varied trim, shutter and accent colors complementing the siding color.
10. House entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door. Front façades and porches may encroach up to 5-feet into front setback provided the garage is located no closer than 20-feet from the right-of-way.
11. Garage may protrude up to 5-feet from the front façade or front porch. Garage doors shall have windows, decorative details, or carriage-style adornments on them. Garage may protrude more than 5-feet with J-drives or courtyards for side entry doors.

HUMIE OLIVE RESIDENTIAL (YUMEEWARRA FARM)
CONDITIONS OF ZONING
(continued)

12. All homes shall be pre-configured with conduit for a solar energy system.
13. Homeowners Association covenants shall not restrict construction of any accessory dwelling unit.
14. The roof shall be pitched at 5:12 or greater for 75% of the building designs.
15. Garages on the front façade of a home that faces the street shall not exceed 50% of the total width of the house and garage together.
16. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
17. Front porches shall be a minimum of 6 feet deep.
18. Existing deciduous trees greater than 18” in diameter that are removed by site development shall be replaced by planting a 1.5” caliper native tree from the Town of Apex Design and Development Manual either on-site or at an alternative site location approved by Town Planning Staff, above and beyond standard UDO requirements.
19. The existing overhead electric easement along Humie Olive Road shall be counted towards the required RCA and buffer standards as identified within various UDO sections. The buffer is proposed to be an average width buffer of 50’. The buffer shall be planted to a Type ‘B’ buffer standard along the Humie Olive Road frontage.
20. Left turn lane(s) meeting NCDOT requirements shall be provided on Humie Olive Road for each proposed point of access where left turn movements are proposed if permitted by NCDOT.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

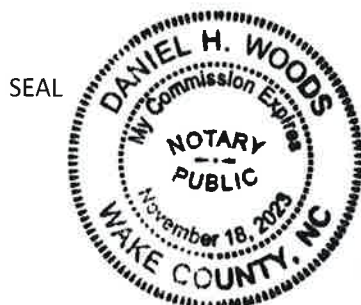
	Owner's Name	PIN
1.	YUMEEWARRA FARM LLC	0710-89-7972, 0710-99-3712, 0711-80-5090
2.	DAVID P & VICKI M DIPROFIO	0710-89-2208
3.	PATSY OLIVE	0710-89-2707
4.	BRIAN J OLIVE	0710-89-4718
5.	JUAN GARCIA & MONIQUE PAIRIS-GARCIA	0710-89-6246
6.	HARRY HOLLOWAY & SHELBY R SMITHEY	0711-80-0615
7.	KATHY OLIVE	0711-80-3160
8.	FOSTER C SMITH	0711-80-6319
9.	SHELBY R SMITHEY	0711-81-8065
10.	JAMES E. JR. & JANICE OLIVER	0711-90-3580 & 0721-00-0505
11.	WILLIAM DAVID JR & JILL M GOODMAN	0710-99-0226
12.	JERIF & LISA CICIN	0720-09-2779
13.	EDWARD A & DEBORAH N PEART	0720-09-3139
14.	JAMES E. JR. & JANICE OLIVER	0721-00-3444
15.		

I, Jonathan Edwards, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: October 13, 2020By: *Jonathan Edwards*

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 13 day of OCTOBER, 2020.

*Daniel H. Woods*

Notary Public

DANIEL H. WOODS

Print Name

My Commission Expires:

11/18/2023

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

Yumeewarra Farm LLC

is the owner* of the property for which the attached

application is being submitted: PIN #s 0711-80-5090, 0710-89-7972, 0710-99-3712

- ☐ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☐ Site Plan
- ☒ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 0 & 8633 Humie Olive Road, Apex, NC 27502

The agent for this project is: Peak Engineering & Design

☐ I am the owner of the property and will be acting as my own agent

Agent Name: Peak Engineering & Design, PLLC (Jeff Roach)

Address: 1125 Apex Peakway, Apex, NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)*

M. D. CONNAGHAN

MEMBER/MANAGER

Type or print name

10/30/20. Date

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, _____ (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 0 & 8633 Humie Olive Road, Apex, NC 27502 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 1-5-2003, and recorded in the Wake County Register of Deeds Office on 1-5-2003, in Book 009835 Page 02365.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 0 & 8633 Humie Olive Road, Apex, NC 27502, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 0 & 8633 Humie Olive Road, Apex, NC 27502, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

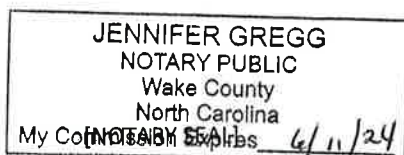
This the 30 day of OCTOBER, 2020.




M. DENIS CONNAGHAN
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that M. DENNIS CONNAGHAN Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's DRIVERS LICENSE, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.





Notary Public
State of North Carolina
My Commission Expires: 6/11/24

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

Submittal Date:

Insert legal description below.

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS JORDAN LAKE CORS ARP (PID: DL3891) AND HAVING NC GRID COORDINATES OF NORTHING: 739,273.05' & EASTING: 1,989,789.69'; THENCE S45°13'18"E A GRID DISTANCE OF 41,628.09' TO A 60D "MAG HUB" NAIL KNOWN AS CE GROUP POINT NUMBER 2 HAVING NC GRID COORDINATES OF NORTHING: 709,949.21' AND EASTING: 2,019,341.41'; THENCE N78°49'38"E A DISTANCE OF 537.58' TO AN EXISTING RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT WHICH IS HEREBY KNOWN AS THE POINT OF BEGINNING.

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FROM SAID POINT OF BEGINNING A BEARING OF S06°53'52"E FOR A DISTANCE OF 30.02 FEET TO A POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142) HAVING A 60 FOOT RIGHT OF WAY; THENCE ALONG THE COMMON LINE BETWEEN YUMEEWARRA FARM, LLC AND JERIF AND LISA CICIN A BEARING OF S06°53'52"E FOR A DISTANCE OF 448.68 FEET TO AN IRON PIPE FOUND; THENCE, S06°53'52"E FOR A DISTANCE OF 101.69 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING A COMMON CORNER WITH EDWARD AND DEBORAH PEART; THENCE, N89°49'36"W FOR A DISTANCE OF 617.64 FEET TO AN IRON PIPE FOUND, SAID PIPE BEING THE NORTHEASTERN MOST CORNER OF THE WILLIAM AND JILL GOODMAN PROPERTY; THENCE, N89°46'37"W FOR A DISTANCE OF 532.95 FEET TO A PINCHED TOP IRON FOUND, SAID IRON BEING THE NORTHEASTERN MOST CORNER OF DENNIS AND SELENA RUSH AND BEING A COMMON CORNER WITH GOODMAN; THENCE, N89°47'51"W FOR A DISTANCE OF 280.22 FEET TO AN IRON PIPE FOUND, SAID IRON PIPE BEING THE SOUTHWESTERN COMMON CORNER WITH BRIAN OLIVE; THENCE ALONG THE COMMON LINE WITH OLIVE A BEARING N 00°11' 11"E FOR A DISTANCE OF 272.20 FEET TO AN IRON PIPE FOUND; THENCE N00°11'11"E FOR A DISTANCE OF 484.52 FEET TO A POINT, SAID POINT LYING ON THE SOUTHERN MARGIN OF HUMIE OLIVE ROAD (NCSR 1142); THENCE, N 00°11'11"E FOR A DISTANCE OF 30.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE FOLLOWING THE CENTERLINE OF HUMIE OLIVE ROAD THE FOLLOWING TWENTY FOUR CALLS: THENCE, S79°56'58"E FOR A DISTANCE OF 15.49 FEET TO A POINT; THENCE, S76°36'37"E FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE, S71°54'37"E FOR A DISTANCE OF 49.92 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 21.22 FEET TO A POINT; THENCE, S69°08'04"E FOR A DISTANCE OF 28.73 FEET TO A POINT; THENCE, S67°48'08"E FOR A DISTANCE OF 17.56 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HUMIE OLIVE ROAD (NCSR 1142) 0.3 FEET BELOW THE EXISTING PAVEMENT; THENCE, S67°51'05"E FOR A DISTANCE OF 32.37 FEET TO A POINT; THENCE, S64°43'10"E FOR A DISTANCE OF 99.91 FEET TO A POINT; THENCE, S61°40'23"E FOR A DISTANCE OF 61.40 FEET TO A POINT; THENCE, S62°07'30"E FOR A DISTANCE OF 38.78 FEET TO A POINT; THENCE, S 58°43'01"E FOR A DISTANCE OF 150.03 FEET TO A POINT; THENCE, S61°52'28"E FOR A DISTANCE OF 49.83 FEET TO A POINT; THENCE, S67°24'09"E FOR A DISTANCE OF 50.11 FEET TO A POINT; THENCE, S74°44'11"E FOR A DISTANCE OF 50.55 FEET TO A POINT; THENCE, S81°32'42"E FOR A DISTANCE OF 49.41 FEET TO A POINT; THENCE, S85°55'19"E FOR A DISTANCE OF 49.79 FEET TO A POINT; THENCE, N89°18'11"E FOR A DISTANCE OF 49.93 FEET TO A POINT; THENCE, N84°27'44"E FOR A DISTANCE OF 47.90 FEET TO A POINT; THENCE, N82°55'35"E FOR A DISTANCE OF 63.56 FEET TO A POINT; THENCE, N80°49'28"E FOR A DISTANCE OF 99.97 FEET TO A POINT; THENCE, N80°40'19"E FOR A DISTANCE OF 115.15 FEET TO A POINT; THENCE, N81°08'07"E FOR A DISTANCE OF 121.56 FEET TO A POINT; THENCE, N80°48'24"E FOR A DISTANCE OF 98.53 FEET TO A POINT; THENCE, N81°04'38"E FOR A DISTANCE OF 19.75 FEET TO A POINT, SAID POINT BEING KNOWN AS THE POINT AND PLACE OF BEGINNING, HAVING AN AREA OF 816,193 SQUARE FEET, OR 18.737 ACRES OF WHICH 42,998 SQUARE FEET OR 0.987 ACRES ARE WITHIN THE 60 FOOT RIGHT OF WAY FOR HUMIE OLIVE ROAD (NCSR 1142).



Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex
Planning Department
PO Box 250
Apex, NC 27502

T: 919-249-3426
F: 919-249-3338

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning Department staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7. The intention of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application. A neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Residential Master Subdivision Plans (excluding exempt subdivisions); or
- Special Use Permits

INSTRUCTIONS

Prior to submitting an application for a Rezoning, Major Site Plan, residential Master Subdivision Plan (excluding exempt subdivisions), or Special Use Permit, the applicant must conduct at least one (1) Neighborhood Meeting. The applicant shall submit all forms included in this packet with the initial application submittal.

The Neighborhood Meeting must be held in accordance with the following rules:

These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners within 300 feet of the subject property, and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the neighborhood meeting, not including the day of mailing. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors.
- The applicant shall include with the meeting notice a vicinity map in addition to either the existing zoning map of the area or preliminary plans of the proposed development (see Handout requirements below).

The meeting must be held within specific timeframes and meet certain requirements:

- The meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period. The meeting cannot be held on a Town recognized holiday (which coincide with the State of North Carolina recognized holidays).
- The meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
- A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Handout requirements:
 - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ), a vicinity map and existing zoning map of the area must be provided to help facilitate discussion.
 - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; residential Master Subdivision Plans; and Special Use Permits, preliminary plans of the proposed development must be available at the meeting to help facilitate discussion. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet; applicant shall provide reduced copies upon request.
 - Printed copies must equal the number of notices required to be sent.
 - Contact information for the applicant’s representative and Town Staff must be provided on the attached “Project Contact Information” form.
 - “Common Construction Issues & Who to Call” sheet (attached) must be included as part of the handout.
 - A copy of the handout must be included as part of the Neighborhood Meeting report.
- The agenda of the meeting shall include:
 - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
 - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
 - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. Provide blank comment sheets or notecards for neighbors to submit written comments. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

For accountability purposes, please submit the following with your application:

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One reduced copy of the maps and/or plans presented to the neighbors at the Neighborhood Meeting.

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

10/09/2020

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
8633 HUMIE OLIVE RD, APEX NC 27502-8976 0710993712, 0711805090, 0710897972

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type	Approving Authority
<input checked="" type="checkbox"/> Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/> Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/> Special Use Permit	Town Council (QJPH*)
<input checked="" type="checkbox"/> Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

Property to rezone from R-40W to MD-CZ (Medium Density-Conditional Zoning) (single family residential).

Meeting will take place via Zoom. Please use web address below to register for meeting. Please pre-register.

<https://us02web.zoom.us/j/84248014980?pwd=Y05HUzlsNzIUa0J6UDJqUkRaUWc0UT09>

Estimated submittal date: November 2, 2020

MEETING INFORMATION:

Property Owner(s) name(s):	YUMEEWARRA FARM LLC
Applicant(s):	Humie Olive Associates
Contact information (email/phone):	Jeff Roach, jeffroach@peakengineering.com, 919-439-0100
Meeting Address:	Meeting being held via Zoom
Date of meeting**:	10/27/2020
Time of meeting**:	5:30

MEETING AGENDA TIMES:

Welcome: 5:30-5:40 Project Presentation: 5:40- 6:00 Question & Answer: 6:00 - ?

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Yumeewarra Farms- To be named Zoning: R-40W, Wake County

Location: 8633 Humie Olive Rd, Apex, NC 27502-8976

Property PIN(s): 0710993712, 0711805090, 0710897972 Acreage/Square Feet: 18.737 acres

Property Owner: Yumeewarra Farms LLC

Address: 8633 Humie Olive Rd

City: Apex State: NC Zip: 27502-8976

Phone: _____ Email: _____

Developer: Humie Olive Associates (Bill Zahn)

Address: 113 Duncansby Drive

City: Cary State: NC Zip: 27511

Phone: (919) 522-5626 Fax: _____ Email: billzahn@bellsouth.net

Engineer: Peak Engineering & Design (Jeff Roach)

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: (919) 439-0100 Fax: _____ Email: jroach@peakengineering.com

Builder (if known): N/A

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 1st and 3rd Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
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Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 a.m. to 8:30 p.m. so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday through Friday from 8:00 a.m. to 5:00 p.m. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	James Misciagno	919-372-7470
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control:	Water Resources – Infrastructure Inspections	919-362-8166
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Water Resources – Infrastructure Inspections at 919-249-3427. The Town will get NCDOT involved if needed.

Parking Violations:	Non-Emergency Police	919-362-8661
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Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road:	James Misciagno	919-372-7470
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported to James Misciagno. He will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	James Misciagno Danny Smith	919-372-7470 Danny.Smith@ncdenr.gov
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the appropriate repairs with the developer. Impacts to the streams and stream buffers should also be reported to Danny Smith (danny.smith@ncdenr.gov) with the State.

Dust:	James Misciagno	919-372-7470
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During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported to James Misciagno at 919-372-7470 so that he can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	James Misciagno	919-372-7470
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Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported to James Misciagno at 919-372-7470. He will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	James Misciagno	919-372-7470
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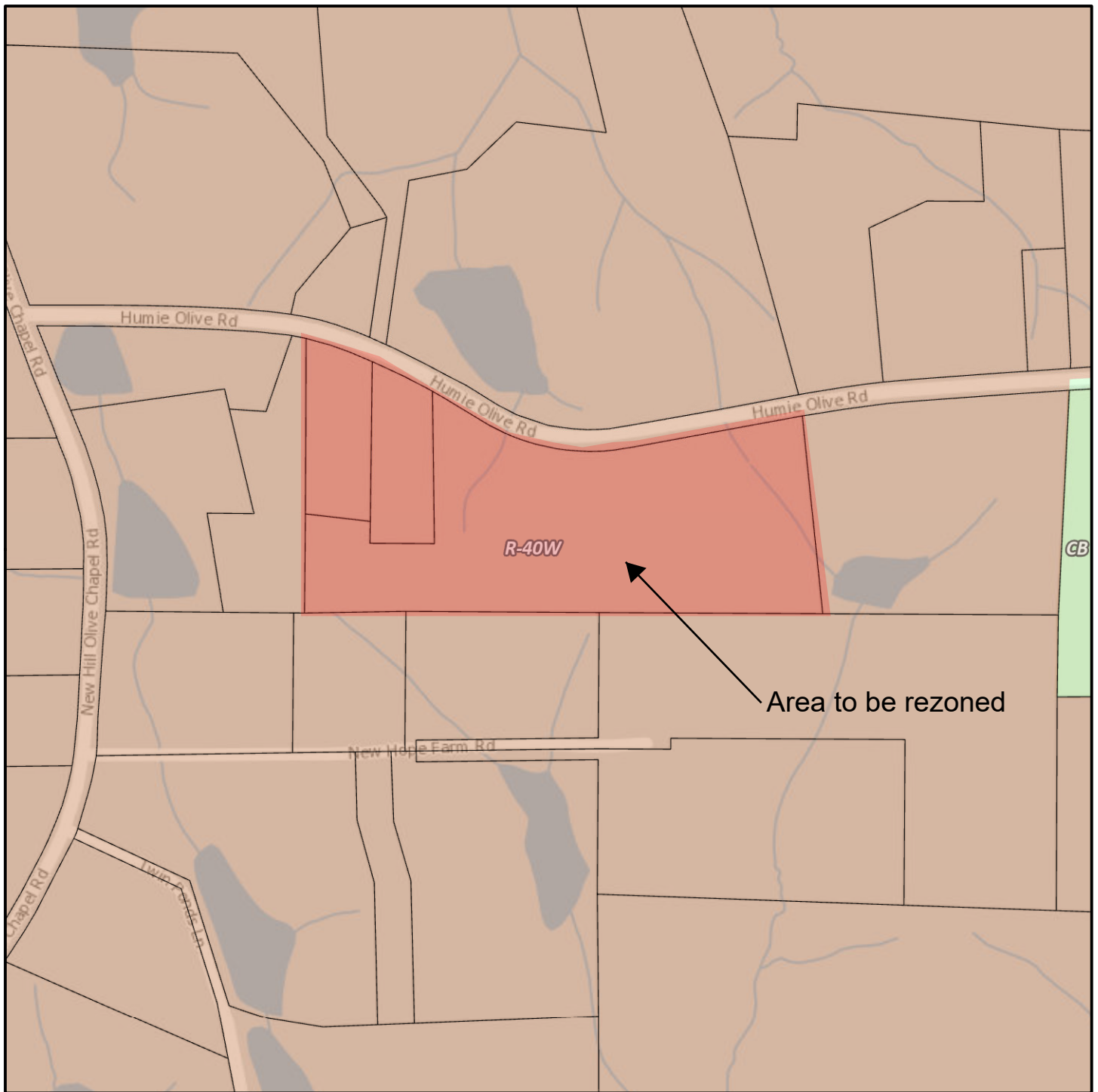
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported to James Misciagno at 919-372-7470 so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Mike Deaton	919-249-3413
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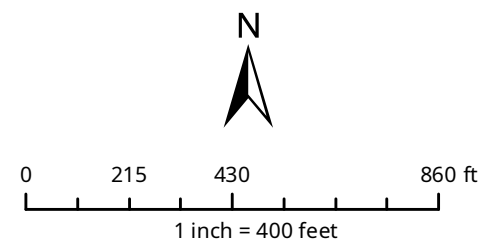
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Mike Deaton at 919-249-3413.

Electric Utility Installation:	Rodney Smith	919-249-3342
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.



Yumeewarra Farm



NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: Meeting held via Zoom
 Date of meeting: October 27, 2020 Time of meeting: 5:30 - 7:30 pm
 Property Owner(s) name(s): Yumeevara Farm LLC
 Applicant(s): Humie Olive Associates

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Jill Goodman	8825 New Hope Farm Rd, New Hill, NC 27562			Yes
2.	Vicki DiProfio	8801 New Hope Farm Rd, New Hill, NC 27562			Yes
3.	Deborah Peart	8829 New Hope Farm Rd, New Hill, NC 27562			Yes
4.	Bill Zahn (Humie Olive Assoc)	113 Duncansby Ct, Cary, NC 27511			Yes
5.	Craig Duerr (Land Alternatives)	403 April Bloom Dr, Cary, NC 27519			Yes
6.	Jeff Roach - Peak Engineering	1125 Apex Peakway, Apex, NC 2750			---
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Yumeewarra Farm LLC

Applicant(s): Humie Olive Associates

Contact information (email/phone): Jeff Roach, jroach@peakengineering.com, (919) 439-0100

Meeting Address: Meeting held via Zoom

Date of meeting: October 27, 2020

Time of meeting: 5:30 - 7:30 pm

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

The property owners asked about zoning and the schedule associated with the project?

Applicant's Response:

Explained the process, timing and documents which are required. Spoke a lot about the Heelan property which was recently rezoned. Also discussed the existing properties on New Hope Farm Road and what would happen with these properties in the future (sell, stay, development?).

Question/Concern #2:

Would the project start construction prior to the development of Heelan? Deborah Peart was asking as her property currently abuts the Yumeewarra property.

Applicant's Response:

Explained that earliest timing would be start construction in late 2021 with zoning, MSP and CD approvals. Project should not be started prior to Heelan as the Yumeewarra site requires sewer from Heelan to develop.

Question/Concern #3:

Is there an option to purchase the properties on New Hope Farm Road? Combine the properties into Yumeewarra or Heelan projects?

Applicant's Response:

That is something that we can look at with the builders/buyers. But that is not a decision for this project - this is something that the owners in the area need to decide what they want to do. Developer did offer to evaluate the properties on New Hope Farm Road

Question/Concern #4:

What would the project look like?

Applicant's Response:

Showed a proposed Sketch Plan (SP-3) to those on the call showing 53 lots, 2 points of access to Humie Olive and a stub to Peart property (part of Heelan PUD). Also discussed buffers, roadway improvements and project specifics.

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Jeff Roach, do hereby declare as follows:

Print Name

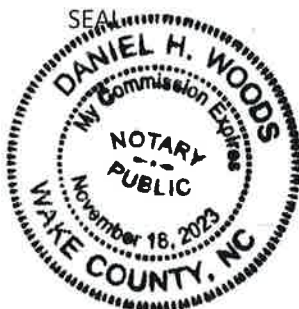
1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom (location/address) on October 27, 2020 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

10/28/2020
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, DANIEL H. WOODS, a Notary Public for the above State and County, on this the 28 day of OCTOBER, 2020.



[Signature]

Notary Public

DANIEL H. WOODS

Print Name

My Commission Expires: 11/18/2023

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Town of Apex staff will enter this information into the online WCPSS form.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net

Developer Company Information	
Company Name	Humie Olive Associates, LLC
Company Phone Number	(919) 522-5626
Developer Representative Name	Bill Zahn
Developer Representative Phone Number	
Developer Representative Email	billzahn@bellsouth.net

New Residential Subdivision Information	
Date of Application for Subdivision	November 2, 2020
City, Town or Wake County Jurisdiction	Apex
Name of Subdivision	TBD (currently submitted as Yumeewarra Farm Assembly)
Address of Subdivision (if unknown enter nearest cross streets)	8633 and 0 Humie Olive Road (Apex, NC)
REID(s)	022444; 0224441; 0244622
PIN(s)	0711-80-5090; 0710-89-7972; 0710-99-3712

Projected Dates Information	
Subdivision Completion Date	June 2023
Subdivision Projected First Occupancy Date	March 2022

Lot by Lot Development <i>Information</i>																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	53							2800	3500			2022	35	2023	18		
Townhomes																	
Condos																	
Apartments																	
Other																	

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Lauren Staudenmaier, Planner I

Department(s): Planning and Community Development

Requested Motion

Motion to set Public Hearing for the January 26, 2021 Town Council meeting regarding Rezoning Application #20CZ15 Smithfield Road Collision Center. The applicant, Spencer B. Terry III, P.E., Carolina Land Development Group, Inc., seeks to rezone approximately 3.86 acres for the properties located at 5920 & 0 Old Smithfield Road (portion of PIN 0740649391 and portion of PIN 0740649679), from Rural Residential (RR) and High Density Single-Family Residential (HDSF) to Light Industrial-Conditional Zoning (LI-CZ).

Approval Recommended?

The Planning and Community Development Department recommends approval.

Item Details

Attachments

- Vicinity Map
- Application





PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 20CZ15 Submittal Date: 11/2/20
2045 LUM Amendment: _____ Fee Paid: _____

Project Information

Project Name: Smithfield Road Collision Center
Address(es): 5920 Old Smithfield Road, Apex, N.C. 27539 / 0 Old Smithfield Road, Apex, N.C. 27539
PIN(s): Portion 0740649391
Portion 0740649679 Acreage: 3.816 Acres
Current Zoning: RR - Rural Residential Proposed Zoning: LI-CZ - Light Industrial
Current 2045 LUM Designation: Industrial Employment
Proposed 2045 LUM Designation: N/A

See next page for LUM Amendment.

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: Acreage: _____
Area proposed as non-residential development: Acreage: _____
Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: Carolina Land Development Group, Inc.
Address: 1304 N. Respass St
City: Washington State: NC Zip: 27889
Phone: (919) 608-9390 E-mail: spencer@cldgcorp.com

Owner Information

Name: Anthony K. and Melissa S. Woodell / R. Markham and Ruth B. Stewart
Address: 345 Camelot Lane
City: Sanford State: NC Zip: 27330
Phone: (919) 708-2854 E-mail: doublebarrel36@gmail.com

Agent Information

Name: Imperial Self Storage Development Inc.
Address: 800 N. Raleigh St. Suite C1
City: Angier State: NC Zip: 27501
Phone: (919) 369-9872 E-mail: jauton@ISSDinc.com

Other contacts: John L. Auton, III

PETITION TO AMEND THE OFFICIAL ZONING MAP & 2045 LAND USE MAP

Application #: _____ Submittal Date: _____

2045 LAND USE MAP AMENDMENT (IF APPLICABLE)

The applicant does hereby respectfully request the Town Council amend the 2045 Land Use Map. In support of this request, the following facts are shown:

The area sought to be amended on the 2045 Land Use Map is located at:

N/A

Current 2045 Land Use Classification: _____

Proposed 2045 Land Use Classification: _____

What condition(s) justifies the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications. Use additional pages as needed.

PETITION INFORMATION

Application #: _____ Submittal Date: _____

An application has been duly filed requesting that the property described in this application be rezoned from RR _____ to LI-CZ _____. It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

PROPOSED USES:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply.

1	62 light industrial proposed uses were identified	21	_____
2	with staff and deemed appropriate for this	22	_____
3	property (See attached list).	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____

Light Industrial permitted uses per Section 4.2

1. Security or caretaker quarters (P)
2. Government service (P)
3. Transportation facility (P)
4. Veterinary clinic or hospital (P)
5. Vocational school (P)
6. Communication tower, commercial (S)
7. Communication tower, constructed stealth (S)
8. Communication tower, camouflage stealth (S)
9. Communication tower, public safety (S)
10. Electrical power facility (S)
11. Recycling collection station (P)
12. Utility, minor (P)
13. Wireless support structure (P)
14. Wireless communication facility (P)
15. Botanical garden (P)
16. Entertainment, indoor (P)
17. Entertainment, outdoor (S)
18. Greenway (P)
19. Park, active (P)
20. Park, passive (P)
21. Broadcasting station (radio and television) (P)
22. Radio and television recording studio (P)
23. Commissary (P)
24. Dispatching office (P)
25. Medical or dental office or clinic (P)
26. Medical or dental laboratory (P)
27. Office, business or professional (P)
28. Research facility (P)
29. Artisan Studio (P)
30. Gas and fuel, retail (P)
31. Glass sales (P)
32. Kennel (P)
33. Repair services, limited (P)
34. Retail sales, bulky goods (P)
35. Self-service storage (P)
36. Studio for art (P)
37. Upholstery shop (P)
38. Pet services (P)
39. Automotive Accessory Sales and Installation (P)
40. Automotive paint or body shop (P)
41. Automotive parts (P)
42. Automotive service station (P)
43. Car wash or auto detailing (P)
44. Repair and maintenance, general (P)
45. Towing service (P)
46. Towing service storage (P)
47. Truck terminal (P)
48. Vehicle sales and rental, heavy (P)
49. Building supplies, wholesale (P)
50. Contractor's office and storage yard (P)
51. Gas and fuel, wholesale (P)
52. Laboratory, industrial research (P)

- 53. Machine or welding shop (P)
- 54. Warehousing (P)
- 55. Woodworking or cabinetmaking (P)
- 56. Wholesaling, general (P)
- 57. Brewery (P)
- 58. Distillery (P)
- 59. Manufacturing and processing (P)
- 60. Manufacturing and processing, minor (P)
- 61. Microbrewery (P)
- 62. Microdistillery (P)

PETITION INFORMATION

Application #: _____

Submittal Date: _____

PROPOSED CONDITIONS:

The applicant hereby requests that the Town Council of the Town of Apex, pursuant to the Unified Development Ordinance, approve the Conditional Zoning for the above listed use(s) subject to the following condition(s). Use additional pages as needed.

1. Predominant exterior building materials shall be high quality, including brick, wood, staked stone, other native stone, and tinted/textured concrete masonry units. Elevations of non-residential buildings facing public roadways and public areas within the development shall be constructed with similar materials.
2. EIFS or synthetic stucco shall not be used in the first four feet above grade and shall be limited to only 25% of each building façade.
3. The rear elevations of non-residential buildings that are not visible from parking lots or public streets may include decorative concrete masonry, metal coping, or EIFS trim.
4. A 100' riparian buffer shall be provided for all perennial streams in accordance with the requirements of UDO Sec. 6.1 as of November 2, 2020.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

The proposed use will not require a modification to the 2045 Land Use Map and is consistent with the purpose, goal, objective, and policies of the 2045 Land Use Map.

- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.

The proposed use will have buffers, setbacks, and architectural standards that are compatible with the surrounding uses and the Town's long range plans for this area.

PETITION INFORMATION

Application #: _____

Submittal Date: _____

3) Zoning district supplemental standards. The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4, Supplemental Standards, if applicable.

The proposed use will comply with the required Supplemental Standards.

4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

The design will provide perimeter buffers, streetscape buffers, architectural features, and utility connections to avoid adverse impacts to the surrounding properties.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

The site is proposed to meet UDO requirements for design and avoidance of environmentally sensitive areas by limiting site development and protecting perimeter vegetation.

6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

Existing public utilities are adjacent to the proposed development including sanitary sewer, water, telephone, stormwater, gas, electric and cable. The site is bordered by Hwy 55 Bypass providing adequate access for emergency vehicles.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.

The proposed use will not be detrimental to the health, safety, or welfare of Apex residents. The future use will be a service to the Apex community.

PETITION INFORMATION

Application #:

Submittal Date:

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

The proposed use is consistent with the 2045 Land Use Plan and objectives and will not be a detriment to the adjacent property owners.

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

The proposed use does not constitute a nuisance or hazard based on the limited number of people who will use the proposed facility and services.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

The proposed development will meet all the applicable standards within The Town of Apex UDO.

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	Anthony and Melissa Woodell	0740649391
2.	Anthony and Melissa Woodell	0740649679
3.	Greenway Waste	0740448719
4.	Highway 55 C & D Landfill LLC	0740648548/0740648236
5.	Town of Apex	0740647406
6.	Wake County Landfill	0740437240
7.	Patsy Smith Morgan Trustees	0740638890/0740730950
8.	Patsy Smith Morgan Trustees	0740743082
9.		
10.		
11.		
12.		
13.		
14.		
15.		

I, Spencer B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

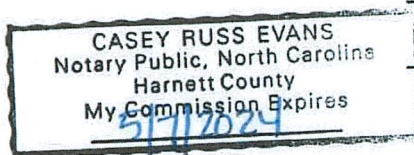
Date: 10/29/2020

By: *Spencer B. Terry III*

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 29th day of October, 2020.

SEAL



Casey Russ Evans
Notary Public
Print Name

My Commission Expires: 5/07/2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

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7.	Patsy Smith Morgan Trustees	0740638890/0740730950
8.	Patsy Smith Morgan Trustees	0740743082
9.	Natalie B. Hinton Brooks	0740748420
10.	Natalie B. Hinton Brooks Trustee	0740840331
11.	Alice Beckwith Lee	0740738946
12.	Patsy Smith Morgan Trustee Smith Family Irrev Charitable Unitrust	0740746062/0740734977
13.	NCDOT Turnpike Authority	0740842586
14.	R. Markham and Ruth B. Stewart	0740746347/0740649391
15.		

I, Spencer. B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

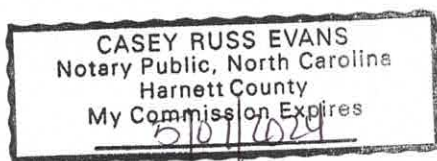
Date: 12/4/2020

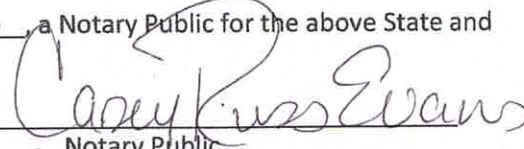
By: 

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, CASEY RUSS EVANS, a Notary Public for the above State and County, on this the 4th day of DECEMBER, 2020.

SEAL




Notary Public
CASEY RUSS EVANS
Print Name

My Commission Expires: 5/07/2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

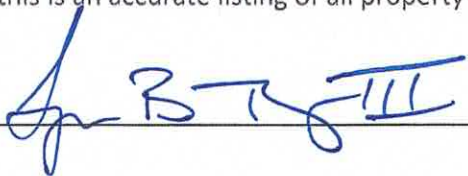
Submittal Date: _____

Provide a certified list of property owners subject to this application and all property owners within 300' of the subject property and HOA Contacts.

	Owner's Name	PIN
1.	Anthony and Melissa Woodell / R. Markham and Ruth B. Stewart	0740649391
2.	Anthony and Melissa Woodell / R. Markham and Ruth B. Stewart	0740649679
3.	Greenway Waste	0740448719
4.	Highway 55 C & D Landfill LLC	0740648548/0740648236
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15.		

I, Spencer. B. Terry III, P.E., certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

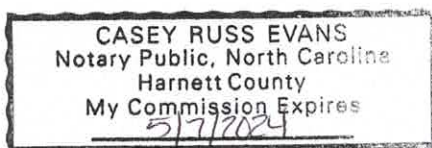
Date: 12/23/2020

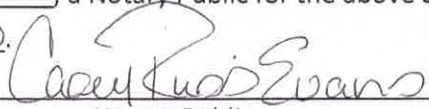
By: 

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 23rd day of DECEMBER, 2020.

SEAL




Notary Public
CASEY RUSS EVANS
Print Name

My Commission Expires: 5/07/2024

AGENT AUTHORIZATION FORM

Application #:

Submittal Date:

Anthony K. and Melissa S. Woodell

is the owner* of the property for which the attached

application is being submitted:

- ☒ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☐ Subdivision
- ☐ Variance
- ☐ Other:

The property address is: 5920 Old Smithfield Road / 0 Old Smithfield Road, Apex, NC 27539

The agent for this project is: Imperial Self Storage Development, Inc.

☐ I am the owner of the property and will be acting as my own agent

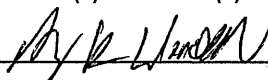
Agent Name: John L. Auton, III

Address: 800 N Raleigh St. Suite C1, Angier, NC 27501

Telephone Number: (919) 369-9872

E-Mail Address: jauton@ISSDinc.com

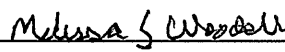
Signature(s) of Owner(s)*


Anthony K. Woodell

12/23/2020

Type or print name

Date


Melissa S. Woodell

12/23/2020

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

Sheet 1 of 2

AGENT AUTHORIZATION FORM

Application #: _____

Submittal Date: _____

R. Markham and Ruth B. Stewart

is the owner* of the property for which the attached

application is being submitted:

- ☒ Land Use Amendment
- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☐ Subdivision
- ☐ Variance
- ☐ Other: _____

The property address is: 5920 Old Smithfield Road / 0 Old Smithfield Road, Apex, NC 27539

The agent for this project is: Imperial Self Storage Development, Inc.

☐ I am the owner of the property and will be acting as my own agent

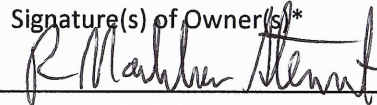
Agent Name: John L. Auton, III

Address: 800 N Raleigh St. Suite C1, Angier, NC 27501

Telephone Number: (919) 369-9872

E-Mail Address: jauton@ISSDinc.com

Signature(s) of Owner(s)*



R. Markham Stewart

12/23/2020

Type or print name

Date



Ruth B. Stewart

12/23/2020

Type or print name

Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

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Sheet 2 of 2

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, John L. Auton, III (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 5920 Old Smithfield Road; 0 Old Smithfield Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 1st day of September, 2020.

John Logan Auton, III (seal)
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Harnett

I, the undersigned, a Notary Public in and for the County of Harnett, hereby certify that John Logan Auton III, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCD# 7120478, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

CASEY RUSS EVANS
Notary Public, North Carolina
Harnett County
My Commission Expires 5/7/2024

Casey Russ Evans
Notary Public
State of North Carolina
My Commission Expires: 5.07.2024

[NOTARY SEAL]

Application #:

Submittal Date:

Insert legal description below.

All that tract or parcel of land lying or being in Holly Springs Township, Wake County, North Carolina and being more particularly described as follows:

Beginning at an existing PK nail on the northern margin of SR 1172 (Old Smithfield Road) a variable Public R/W, said point being the southeast corner of Greenway Waste Solutions of Apex, LLC as described in Deed Book 9909, page 1039, Deed Book 16777, Page 570 and Book of Maps 2002, Pages 1159-1161 all of the Wake County Registry, and runs thence as the eastern line of said Greenway Waste Solutions of Apex, LLC North 02 degrees 38 minutes 11 seconds East for a distance of 442.33 feet to an existing iron pipe;

THENCE continuing along the eastern line said Greenway Waste Solutions of Apex, LLC North 02 degrees 09 minutes 07 seconds East for a distance of 238.93 feet to an existing iron pipe;

THENCE continuing along a northern line of said Greenway Waste Solutions of Apex, LLC North 87 degrees 50 minutes 57 seconds West for a distance of 59.98 to an existing PK nail;

THENCE along an eastern line of said Greenway Waste Solutions of Apex, LLC North 02 degrees 39 minutes 33 seconds East for a distance of 198.30 feet to an existing concrete R/W monument on the southern margin of a ramp from NC 540 a variable Public R/W;

THENCE leaving said Greenway Waste Solutions of Apex and along the southern margin of said ramp from NC 540 South 65 degrees 58 minutes 50 seconds East for a distance of 224.31 feet to an existing concrete R/W monument;

THENCE continuing along the southern margin of said NC 540 South 45 degrees 40 minutes 17 seconds East for a distance of 105.83 feet to an existing concrete R/W monument, said point being on the western margin of NC 55 Bypass (GB Alford Highway) a variable public R/W;

THENCE leaving said NC 540 and along the western margin of NC 55 Bypass South 23 degrees 05 minutes 18 seconds West for a distance of 81.32 feet to an existing concrete R/W monument;

THENCE continuing along the western margin of NC 55 Bypass South 12 degrees 45 minutes 06 seconds West for a distance of 160.24 feet to a point;

THENCE continuing along the western margin of NC 55 Bypass South 22 degrees 12 minutes 15 seconds East for a distance of 67.46 feet to an existing concrete R/W monument;

THENCE continuing along the western margin of NC 55 Bypass South 04 degrees 13 minutes 24 seconds East for a distance of 285.56 feet to an existing concrete R/W monument;

THENCE continuing along the margin of said NC 55 Bypass South 47 degrees 06 minutes 06 seconds West for a distance of 102.56 to an existing concrete R/W monument on the northern margin of said SR 1172;

THENCE along the northern margin of said SR 1172 along a curve to the left having a radius of 1031.81 feet and an arc length of 176.94 feet being subtended by a chord bearing of South 67 degrees 31 minutes 37 seconds West for a distance of 176.73 feet to the Point and Place of BEGINNG;

Together with and subject to 60 Access Easement as described in Deed Book 9488, Page 925, Sanitary Sewer Easement as described in Deed Book 3059, Page 114, 30' Powerline easement as described in Deed Book 8522, Page 2338 all of the Wake County Registry as well as all covenants, easements, and restrictions of record.

Said property contains 3.816 acres more or less.

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

10/17/2020

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

5920 Old Smithfield Road, Apex, N.C. 27539

0740649391 / 0740649679

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/>	Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

Rezone from High Density Single Family Residential / Rural Residential to Light Industrial for an Autobody Repair Shop. (See attached preliminary site plan)

Estimated submittal date: 11/02/2020

MEETING INFORMATION:

Property Owner(s) name(s):	Anthony and Melissa Woodell
Applicant(s):	Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.
Contact information (email/phone):	spencer@cldgcorp.com / (919) 608-9390
Meeting Address:	Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540
Date of meeting**:	10/29/2020
Time of meeting**:	5:30 - 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:45 pm Question & Answer: 6:00 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: Smithfield Road Collision Center Zoning: HDSF/RR

Location: 5920 Old Smithfield Road, Apex, N.C. 27539

Property PIN(s): 0740649391/0740649679 Acreage/Square Feet: 3.816 Ac.

Property Owner: Anthony K Woodell and Melissa S. Woodell / R. Markham and Ruth B. Stewart

Address: 345 Camelot Lane

City: Sanford State: NC Zip: 27330

Phone: (919) 708-2854 Email: doublebarrel36@gmail.com

Developer: Imperial Self Storage Development Inc.

Address: 800 N. Raleigh St. Suite C1

City: Angier State: NC Zip: 27501

Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

Engineer: Carolina Land Development Group Inc. - Spencer B. Terry III, P.E.

Address: 1304 N. Respass Street

City: Washington State: NC Zip: 27889

Phone: (919) 608-9390 Fax: _____ Email: spencer@cldgcorp.com

Builder (if known): Imperial Self Storage Development Inc.

Address: 800 N. Raleigh St. Suite C1

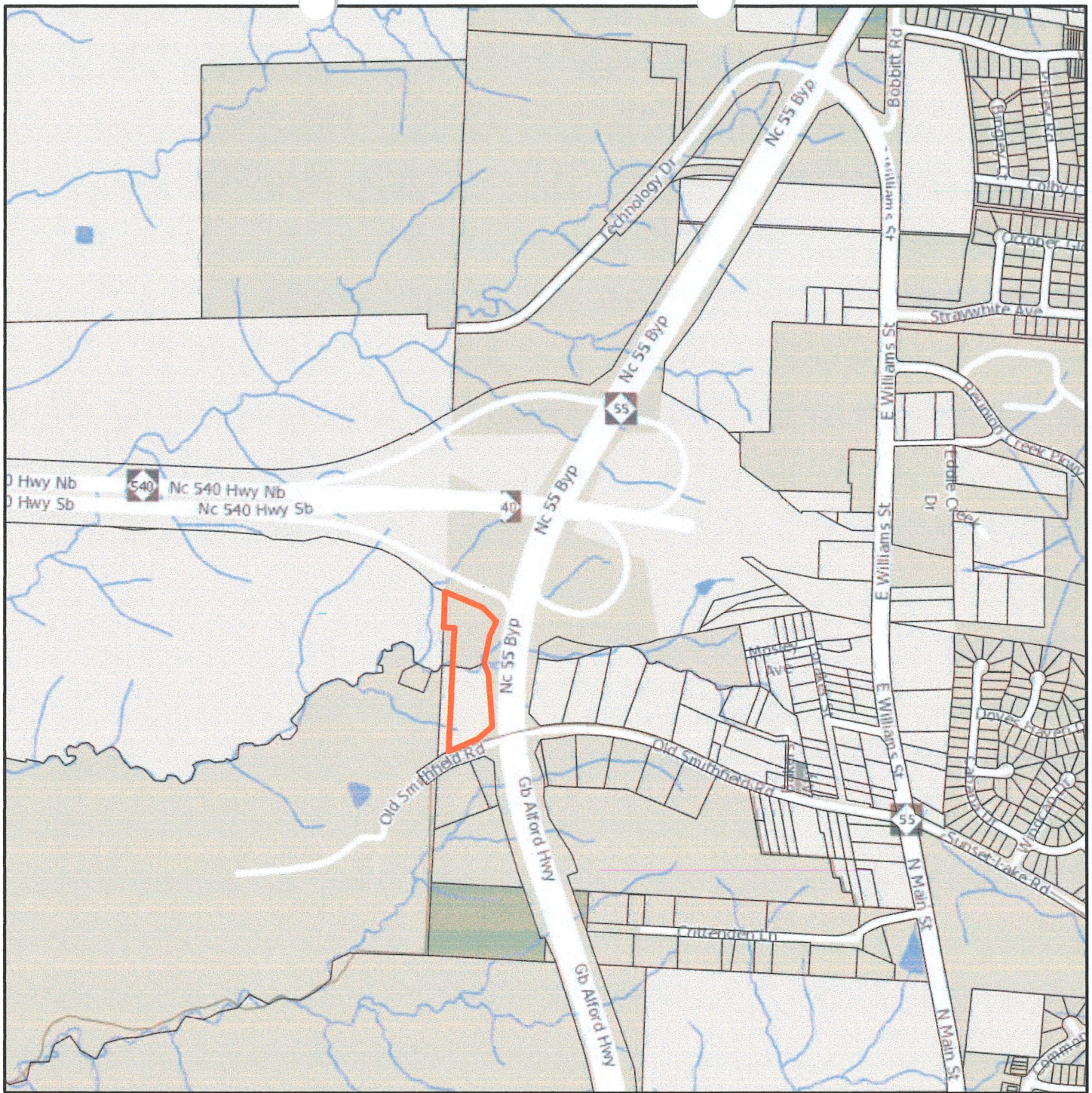
City: Angier State: NC Zip: 27501

Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

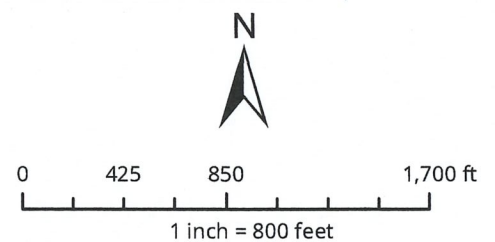
Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



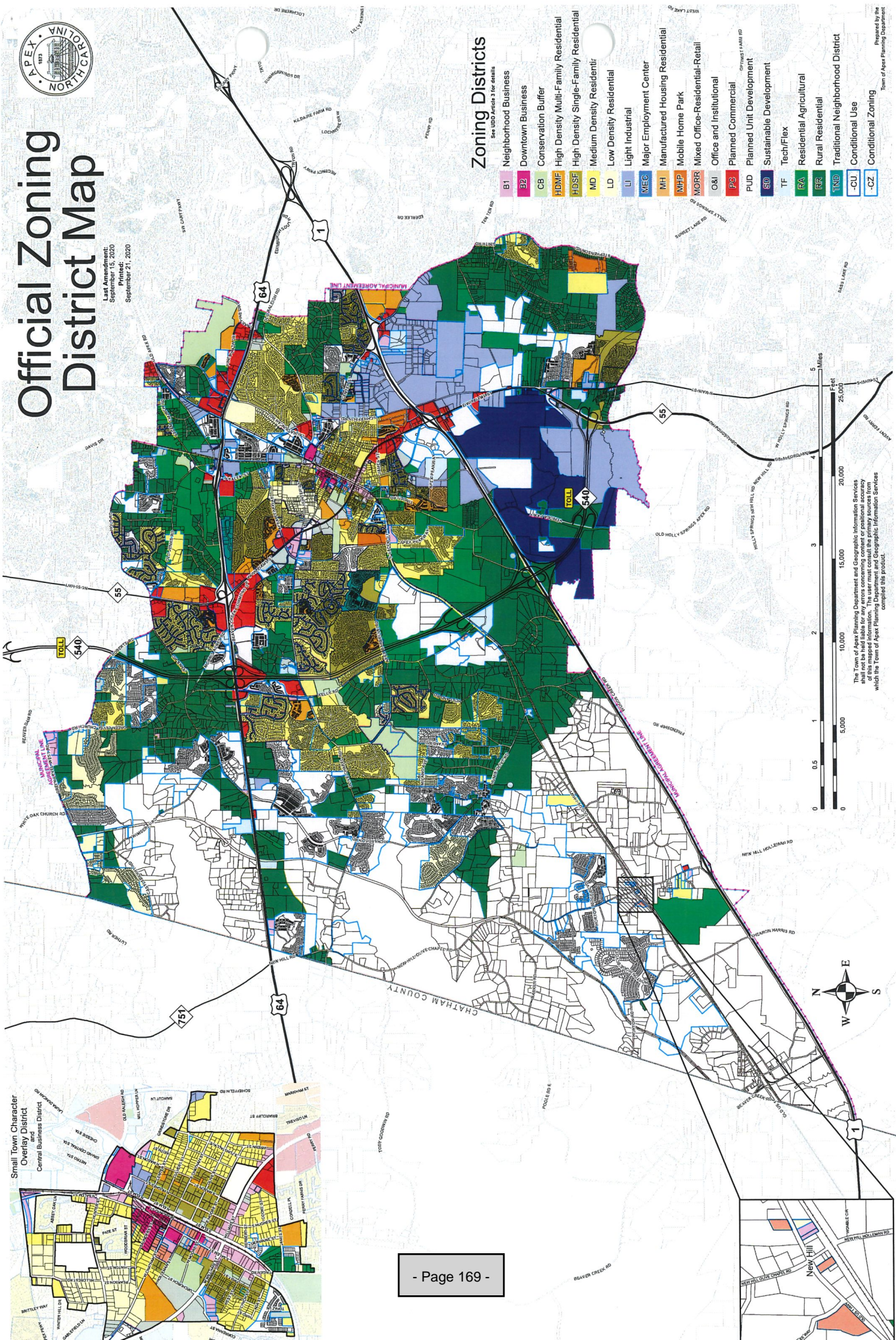
VICINITY MAP





Official Zoning District Map

Last Amendment:
September 15, 2020
Printed:
September 21, 2020

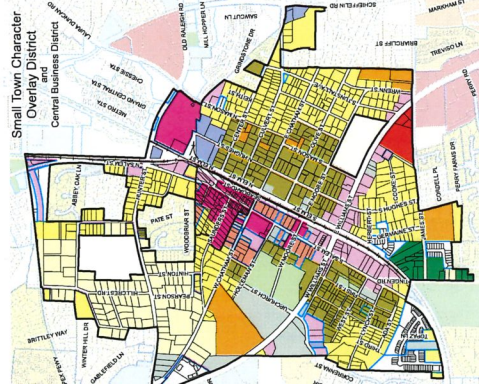


Zoning Districts

- See US-170 and I-77 for details
- | | |
|------|--|
| B1 | Neighborhood Business |
| B2 | Downtown Business |
| CB | Conservation Buffer |
| HDMP | High Density Multi-Family Residential |
| HDSE | High Density Single-Family Residential |
| MD | Medium Density Residential |
| LD | Low Density Residential |
| LI | Light Industrial |
| MFC | Major Employment Center |
| MH | Manufactured Housing Residential |
| MHP | Mobile Home Park |
| MORR | Mixed Office-Residential-Retail |
| OBI | Office and Institutional |
| PG | Planned Commercial |
| PUD | Planned Unit Development |
| SD | Sustainable Development |
| TF | TechFlex |
| RA | Residential Agricultural |
| RR | Rural Residential |
| TND | Traditional Neighborhood District |
| CU | Conditional Use |
| CZ | Conditional Zoning |

Prepared by the
Town of Apex Planning Department

This Town of Apex Planning Department and Geographic Information Services map is for informational purposes only and does not constitute any form of official information. The user must consult the primary source from which the Town of Apex Planning Department and Geographic Information Services compiled this product.





CAROLINA LAND
DEVELOPMENT GROUP INC.
1000 N. WILSON ST.
SUITE 200
RANDOLPH, NC 28134
TEL: 704.399.1000
WWW.CAROLINALAND.COM

COLLISION CENTER
590 OLD SMITHFIELD ROAD
SUITE 200
RALEIGH, NC 27603

TOWN OF ALEXANDRIA

DATE: APRIL 28, 2020
SHEET: 001 OF 001

PRELIMINARY
SITE LAYOUT

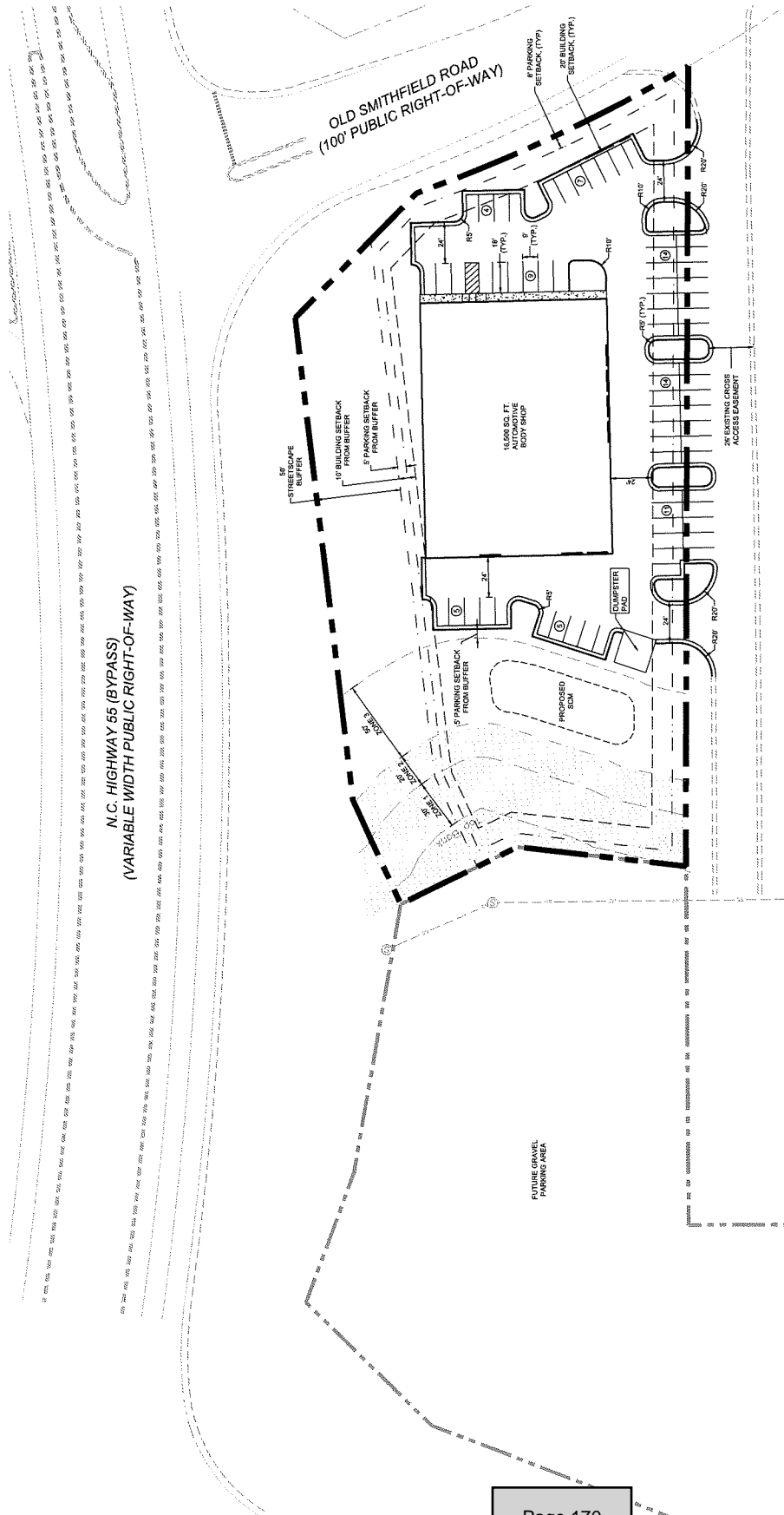
PRELIMINARY
SITE PLAN

C 1.0

DRAWN BY: JML
CHECKED BY: JML

CAROLINA LAND DEVELOPMENT

N.C. HIGHWAY 55 (BYPASS) (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)



SITE LEGEND

STORAGE	STREETCRAPE BUFFER
LIGHT POLE SITE LIGHTING	10' BUILDING SETBACK FROM BUFFER
POWER POLE	5' PARKING SETBACK FROM BUFFER
TRAFFIC DIRECTIONAL ARROW	5' PARKING SETBACK FROM BUFFER
ACCESSIBLE RAMP	5' PARKING SETBACK FROM BUFFER
PROPERTY LINE	5' PARKING SETBACK FROM BUFFER
RIGHT-OF-WAY LINE	5' PARKING SETBACK FROM BUFFER
SEWER LINE	5' PARKING SETBACK FROM BUFFER
WATER LINE	5' PARKING SETBACK FROM BUFFER
ENCE	5' PARKING SETBACK FROM BUFFER
HEAVY DUTY ASPHALT	5' PARKING SETBACK FROM BUFFER
HEAVY DUTY CONCRETE	5' PARKING SETBACK FROM BUFFER
CONCRETE SIDEWALK	5' PARKING SETBACK FROM BUFFER
ASPHALT SIDEWALK	5' PARKING SETBACK FROM BUFFER
ASPHALT DRIVEWAY	5' PARKING SETBACK FROM BUFFER
WELL AND OVERLAY	5' PARKING SETBACK FROM BUFFER

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SPECIFICATIONS AND DETAILS.



SCALE 1"=30'

SITE INFORMATION

ZONING: COMMERCIAL
TRACT: 10000
OWNER: CAROLINA LAND DEVELOPMENT GROUP INC.
PROJECT: COLLISION CENTER
EXISTING USE: COLLISION CENTER
PROPOSED USE: COLLISION CENTER
NUMBER OF LOTS: 2
PROPOSED LOT 1: 10,000 SQ. FT.
PROPOSED LOT 2: 14,500 SQ. FT.
PROPOSED LOT 3: 5,000 SQ. FT.
PROPOSED LOT 4: 5,000 SQ. FT.
PROPOSED LOT 5: 5,000 SQ. FT.
PROPOSED LOT 6: 5,000 SQ. FT.
PROPOSED LOT 7: 5,000 SQ. FT.
PROPOSED LOT 8: 5,000 SQ. FT.
PROPOSED LOT 9: 5,000 SQ. FT.
PROPOSED LOT 10: 5,000 SQ. FT.
PROPOSED LOT 11: 5,000 SQ. FT.
PROPOSED LOT 12: 5,000 SQ. FT.
PROPOSED LOT 13: 5,000 SQ. FT.
PROPOSED LOT 14: 5,000 SQ. FT.
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PROPOSED LOT 93: 5,000 SQ. FT.
PROPOSED LOT 94: 5,000 SQ. FT.
PROPOSED LOT 95: 5,000 SQ. FT.
PROPOSED LOT 96: 5,000 SQ. FT.
PROPOSED LOT 97: 5,000 SQ. FT.
PROPOSED LOT 98: 5,000 SQ. FT.
PROPOSED LOT 99: 5,000 SQ. FT.
PROPOSED LOT 100: 5,000 SQ. FT.

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 10/29/2020 Time of meeting: 5:30 pm

Property Owner(s) name(s): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	No one attended the meeting				
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Property Owner(s) name(s): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com - (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 10/29/2020

Time of meeting: 5:30 pm

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Spencer B. Terry, III, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Panera Bread - 231 Gand Hill Place, Holly Springs, NC 27540 (location/address) on 10/29/2020 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

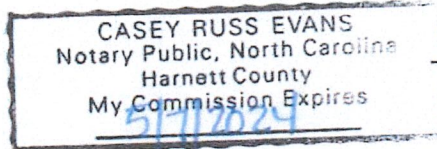
10/29/2020
Date

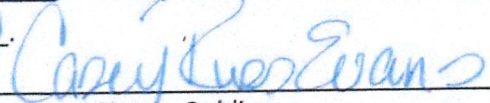
By: 

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

Sworn and subscribed before me, Casey Russ Evans, a Notary Public for the above State and County, on this the 29th day of October, 2020.

SEAL




Notary Public
Casey Russ Evans
Print Name

My Commission Expires: 5/07/2024

Parcel 1 – Main Tract

Anthony Woodell and Melissa Woodell
345 Camelot Lane
Sanford NC 27330

Parcel 2 – Main Tract

Anthony Woodell and Melissa Woodell
345 Camelot Lane
Sanford NC 27330

Parcel 3 – Greenway Waste (Private Landfill)

Greenway Waste Solutions of Apex, LLC
19109 W. Catawha Ave. Ste 110
Cornelius, NC 28031

Parcel 4 – Highway 55 C & D Landfill LLC

Highway 55 C & D Landfill LLC.
19109 W. Catawha Ave. Ste 110
Cornelius, NC 28031

Parcel 5 – Highway 55 C & D Landfill LLC

Highway 55 C & D Landfill LLC.
19109 W. Catawha Ave. Ste 110
Cornelius, NC 28031

Parcel 6 – Town of Apex

Town of Apex
PO Box 250
Apex, NC 27502

Parcel 7 – Wake County Landfill

Wake County Attorney's Office
PO Box 550
Raleigh, NC 27602

Parcel 8 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 9 – Patsy Smith Morgan Trustee

323 Golf Course Drive
Raleigh, NC 27610

Parcel 10 – Patsy Smith Morgan Trustee

323 Golf Course Drive
Raleigh, NC 27610

NOTICE OF NEIGHBORHOOD MEETING

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11/24/2020

Date

Dear Neighbor:

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5920 Old Smithfield Road, Apex, N.C. 27539

0740649391 / 0740649679

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at www.apexnc.org.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input checked="" type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Town Council (QJPH*)
<input type="checkbox"/>	Special Use Permit	Town Council (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Town Council cannot discuss the project prior to the public hearing.

The following is a description of the proposal (also see attached map(s) and/or plan sheet(s)):

Rezone from High Density Single Family Residential / Rural Residential to Light Industrial for an Autobody Repair Shop. (See attached preliminary site plan)

Estimated submittal date: 11/02/2020

MEETING INFORMATION:

Property Owner(s) name(s): Anthony and Melissa Woodell / R. Markham and Ruth B. Stewart

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com / (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting**: 12/10/2020

Time of meeting**: 5:30 - 7:30 pm

MEETING AGENDA TIMES:

Welcome: 5:30 pm Project Presentation: 5:45 pm Question & Answer: 6:00 pm

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180/Planning>.

PROJECT CONTACT INFORMATION

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Development Contacts:

Project Name: Smithfield Road Collision Center Zoning: HDSF/RR

Location: 5920 Old Smithfield Road, Apex, N.C. 27539

Property PIN(s): 0740649391/0740649679 Acreage/Square Feet: 3.816 Ac.

Property Owner: Anthony K Woodell and Melissa S. Woodell / R. Markham and Ruth B. Stewart

Address: 345 Camelot Lane

City: Sanford State: NC Zip: 27330

Phone: (919) 708-2854 Email: doublebarrel36@gmail.com

Developer: Imperial Self Storage Development Inc.

Address: 800 N. Raleigh St. Suite C1

City: Angier State: NC Zip: 27501

Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

Engineer: Carolina Land Development Group Inc. - Spencer B. Terry III, P.E.

Address: 1304 N. Respass Street

City: Washington State: NC Zip: 27889

Phone: (919) 608-9390 Fax: _____ Email: spencer@cldgcorp.com

Builder (if known): Imperial Self Storage Development Inc.

Address: 800 N. Raleigh St. Suite C1

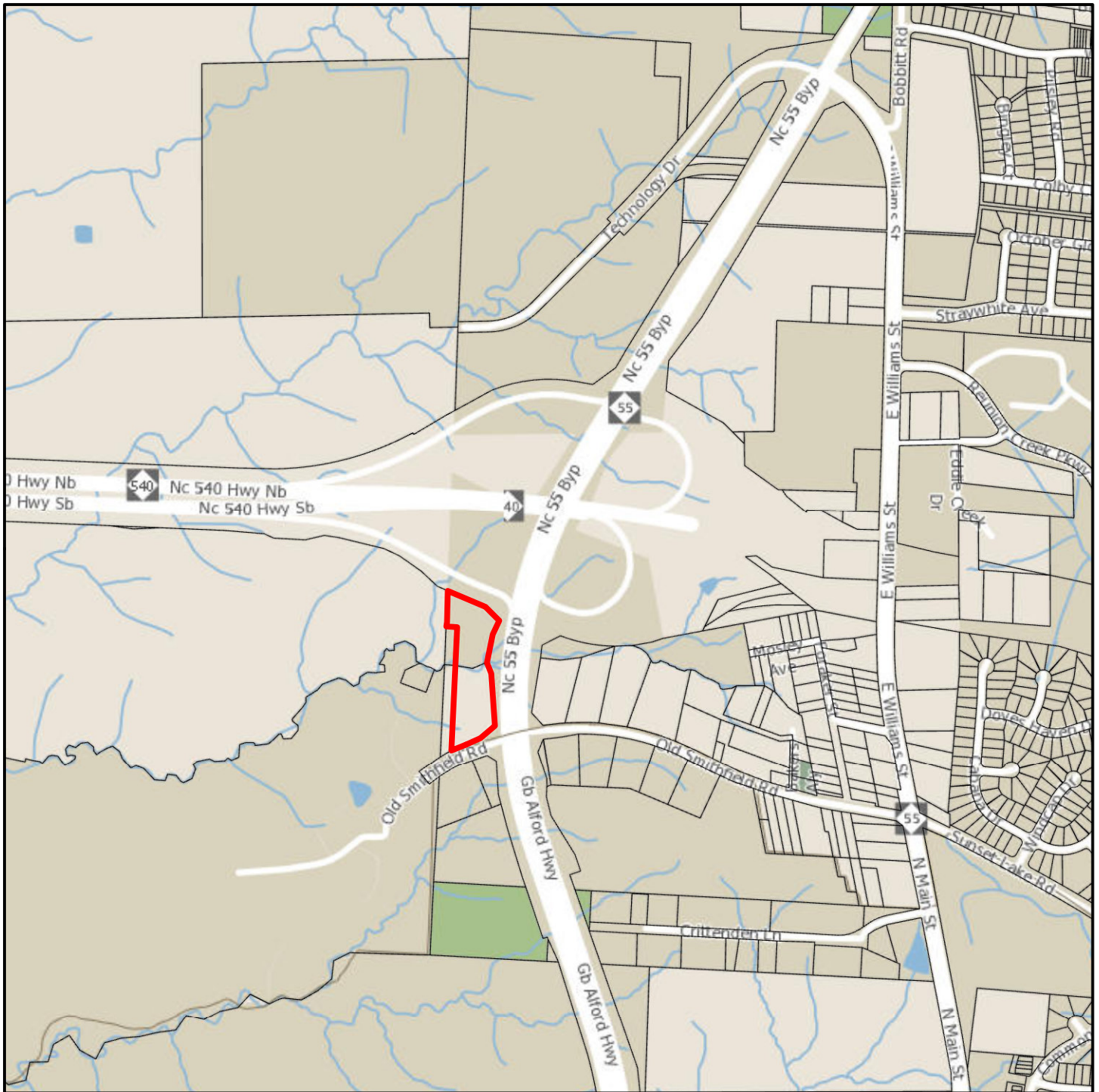
City: Angier State: NC Zip: 27501

Phone: (919) 369-9872 Fax: _____ Email: jauton@ISSDinc.com

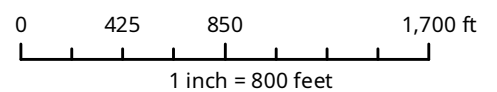
Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Mike Deaton, Stormwater & Utility Engineering Manager Stan Fortier, Senior Engineer (Sedimentation & Erosion Control)	(919) 249-3413 (919) 249-1166
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



VICINITY MAP



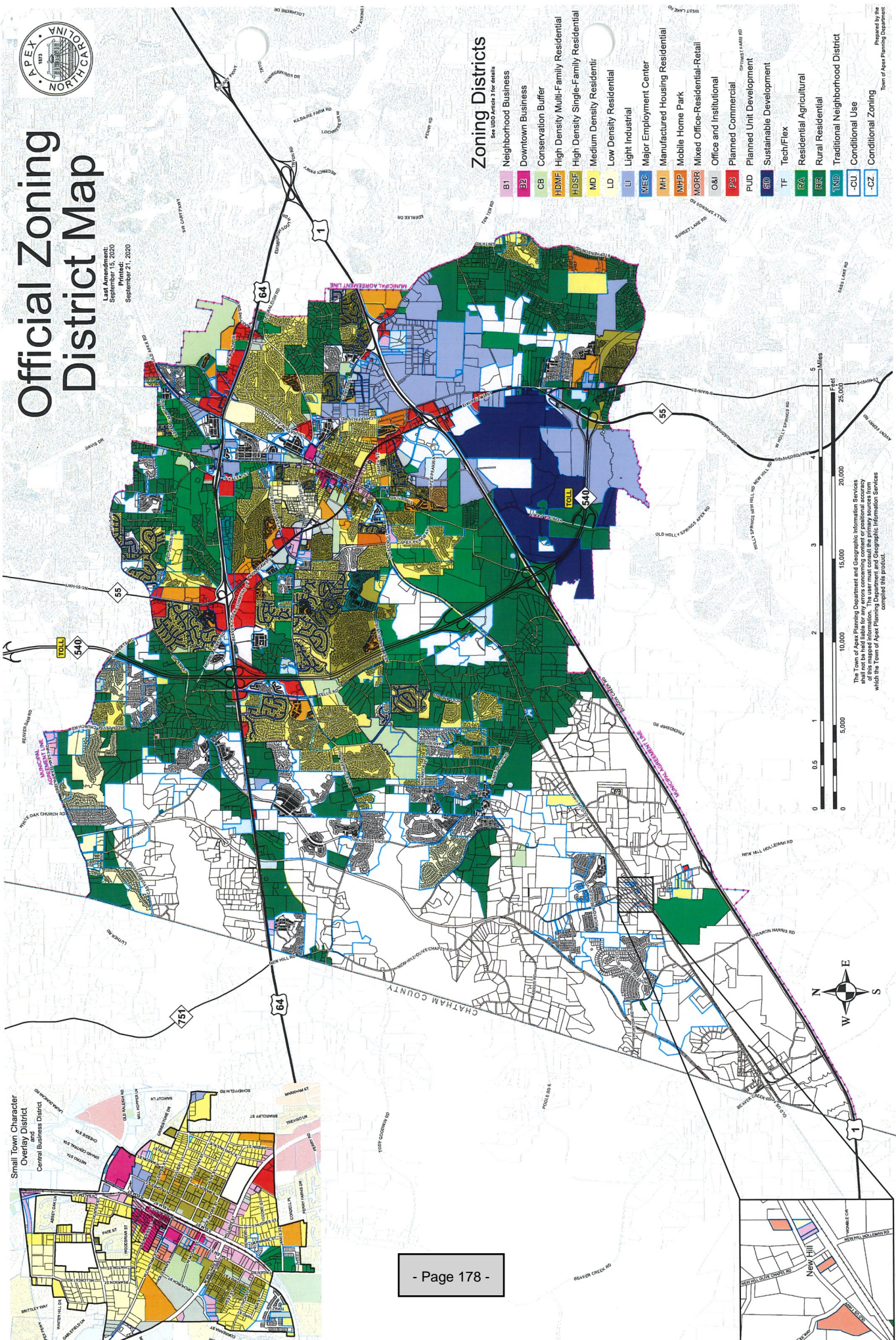
Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



Official Zoning District Map

Last Amendment:
September 15, 2020
Printed:
September 21, 2020

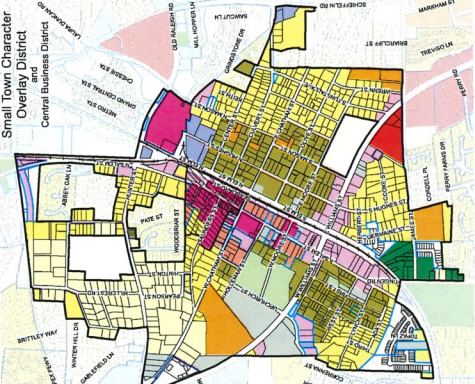


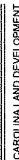
Zoning Districts

- See US-1 for details 1/2 mile
- | | |
|------|--|
| B1 | Neighborhood Business |
| B2 | Downtown Business |
| CB | Conservation Buffer |
| HDMP | High Density Multi-Family Residential |
| HDSE | High Density Single-Family Residential |
| MD | Medium Density Residential |
| LD | Low Density Residential |
| LI | Light Industrial |
| MFC | Major Employment Center |
| MH | Manufactured Housing Residential |
| MHP | Mobile Home Park |
| MORR | Mixed Office-Residential-Retail |
| OBI | Office and Institutional |
| PC | Planned Commercial |
| PUD | Planned Unit Development |
| SD | Sustainable Development |
| TF | TechFlex |
| RA | Residential Agricultural |
| RR | Rural Residential |
| TND | Traditional Neighborhood District |
| CU | Conditional Use |
| CZ | Conditional Zoning |
- See US-1 for details 1/2 mile



This Town of Apex Planning Department and Geographic Information Services map is for informational purposes only and does not constitute any form of official information. The user must consult the primary source from which the Town of Apex Planning Department and Geographic Information Services compiled this product.





NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540
 Date of meeting: 12/10/20 Time of meeting: 5:30 pm
 Property Owner(s) name(s): Anthony and Melissa Woodell
 Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	No one attended the meeting				
2.	Natilee Hinton Brooks	5900 Old Smithfield			
3.	Inetta Hinton	5400 Bobbitt Rd			
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): Anthony and Melissa Woodell

Applicant(s): Carolina Land Development Group, Inc. - Spencer B. Terry III, P.E.

Contact information (email/phone): spencer@cldgcorp.com - (919) 608-9390

Meeting Address: Panera Bread - 231 Grand Hill Place, Holly Springs, NC 27540

Date of meeting: 12/10/20 Time of meeting: 5:30 pm

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

There were no questions or concerns with the development the project.

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Spencer B. Terry, III, do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Panera Bread - 231 Gand Hill Place, Holly Springs, NC 27540 (location/address) on 12/10/20 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

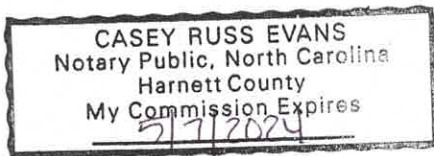
12/14/20
Date

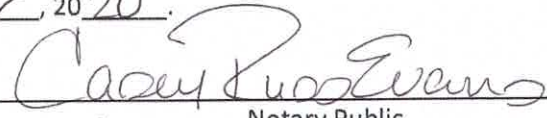
By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, CASEY RUSS EVANS, a Notary Public for the above State and County, on this the 14th day of DECEMBER, 2020.

SEAL




Notary Public
CASEY RUSS EVANS
Print Name

My Commission Expires: 5/07/2024

Parcel 11 – Natalie B Hinton-Brooks

Natalie B. Hinton-Brooks
5900 Old Smithfield Road
Apex, NC 27539

Parcel 12 – Natalie B Hinton-Brooks

Natalie B. Hinton-Brooks
5900 Old Smithfield Road
Apex, NC 27539

Parcel 13 – Alice Beckwith Lee

Alice Beckwith Lee
209 West St
Apex, NC 27502

Parcel 14 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 15 – Patsy Smith Morgan Trustee

Patsy Smith Morgan Trustee
323 Golf Course Drive
Raleigh, NC 27610

Parcel 16 – NC Dept of Transportation Turnpike Authority

NC Dept. of Transportation Turnpike Authority
Transportation Section
1578 MSC
Raleigh, NC 27699

Parcel 17 – R Markham Stewart – B. Ruth Stewart

R. Markham Stewart and B. Ruth Stewart
345 Camelot Lane
Sanford NC 27330

Parcel 18 – R Markham Stewart – B. Ruth Stewart

R. Markham Stewart and B. Ruth Stewart
345 Camelot Lane
Sanford NC 27330

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning and Community Development

Requested Motion

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160A-383 addressing action on the various Unified Development Ordinance (UDO) Amendments of December 15, 2020.

Approval Recommended?

The Planning and Community Development Department recommends approval.

Item Details

Attachments

- Statement of Town Council



STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON VARIOUS UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF DECEMBER 15, 2020

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 15th day of December 2020.

The Apex Town Council held a public hearing on the 15th day of December 2020. Amanda Bunce, Current Planning Manager, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO Amendments and who were residents of Apex or its extraterritorial jurisdiction were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 4 to 0 approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the various UDO Amendments of December 15, 2020 is consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendments to UDO Sec. 8.1.2.A *Resource Conservation Area, Establishment of RCA* reduce the ratio of off-site RCA to on-site RCA and amend the standards for the approval of off-site RCA in order to better facilitate the provision of off-site RCA.
2. The amendments to UDO Sec. 1.2.2 *Authority to Regulate Zoning, Subdivision and Building Practices in ETJ* remove the requirement for signs, signposts, or other markers to be installed at the Town's ETJ boundaries as such signage is of little public benefit and must be adjusted as the corporate limits are changed.
3. The amendments to UDO Secs. 2.1.9.A *Apex Environmental Advisory Board, Powers and Duties* revise the types of rezoning applications that must be reviewed by the Board prior to submittal in order to allow the Board to focus on rezonings that are most likely to warrant the addition of zoning conditions in order to mitigate environmental impact of the anticipated development.
4. The amendments to UDO Sec. 4.3.2.I *Use Classifications, Public and Civic Uses, Government Service* and Sec. 4.4.2.G *Supplemental Standards, Public and Civic Uses, Government Service* add EMS station and transit station to the definition of the Government Services use and add supplemental standards for outdoor storage aspects of this use in order to ensure better compatibility when adjacent to residential areas.

5. The amendments to UDO 6.1.15 *Watershed Protection Overlay Districts, Civil Penalties* move the standards for the assessment of civil penalties for violations of Sec. 6.1 *Watershed Protection Overlay Districts* from Sec. 11.4.4 to Sec. 6.1.15 and set guidelines for determining the amount of the civil penalty. The amendment to UDO Sec. 11.4.4 *Enforcement, Remedies and Penalties, Civil Penalties* refers the reader to Sec. 6.1.15 for such violations.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter: Dianne Khin, Director of Planning and Community Development

Department: Planning and Community Development

Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting Date of Public Hearing for January 26, 2021 on the Question of Annexation – Apex Town Council's intent to annex Peak City Partners, LLC (1200 James Street) property containing 4.777 acres located at 1200 James Street, Annexation #699 into the Town's corporate limits.

Approval Recommended?

Yes, by the Planning and Community Development Department.

Item Details

The Town Clerk certifies to the investigation of said annexation. Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

Attachments

- Annexation Petition
- Legal Description
- Vicinity Map
- Resolution Directing the Town Clerk to Investigate Petition
- Certificate of Sufficiency by the Town Clerk
- Resolution Setting Date of Public Hearing





RESOLUTION DIRECTING THE TOWN CLERK
TO INVESTIGATE PETITION RECEIVED UNDER G.S. § 160A-31

Annexation Petition #699
Peak City Partners, LLC (1200 James Street)

WHEREAS, G.S. §160-A 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of her investigation.

This the 12th day of January 2021.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #699
Peak City Partners, LLC (1200 James Street)

To: The Town Council of the Town of Apex, North Carolina

I, Donna B. Hosch, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. § 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 12th day of January 2021.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(Seal)

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 699
Fee Paid \$ 200.00

Submittal Date: 10/1/20
Check # 1912

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Peak City Partners LLC

0741789012

Owner Name (Please Print)

Property PIN or Deed Book & Page #

919-210-1996

vdhawan@greenhawkcorp.com

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

Surveyor Information

Surveyor: Robinson & Plante, PC

Phone: 919-859-6030

Fax: 919-859-6032

E-mail Address: kevin@robinsonplante.com

Annexation Summary Chart

Property Information

Total Acreage to be annexed: 4.777
Population of acreage to be annexed: 0
Existing # of housing units: 1
Proposed # of housing units: 0
Zoning District*: TF-CZ

Reason(s) for annexation (select all that apply)

Need water service due to well failure ☐
Need sewer service due to septic system failure ☐
Water service (new construction) ☐
Sewer service (new construction) ☐
Receive Town Services ☒

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 699

Submittal Date: 10/1/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Peak City Partners, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 30 day of September, 2020.

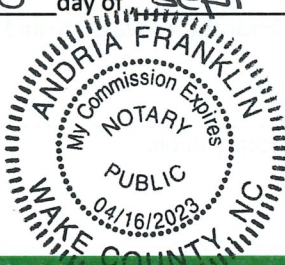
Name of Limited Liability Company Peak City Partners, LLC

By: 
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Andria Franklin, a Notary Public for the above State and County, this the 30 day of Sept, 2020.

SEAL




Notary Public

My Commission Expires: 4/16/2023

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Partnership _____

By: _____
Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the ____ day of _____, 20____.

SEAL

Notary Public

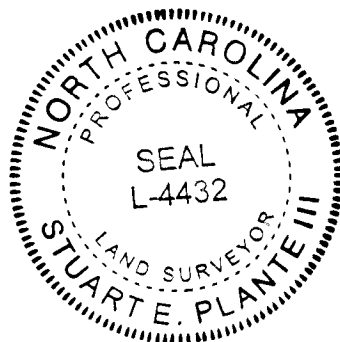
My Commission Expires: _____

Beginning at an iron pipe found disturbed on the Eastern Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), said iron pipe having N.C. Grid Coordinates (NAD83/2001) of N=717,752.03, E=2,047,768.85 as shown on Book of Maps 2003, Page 503, Wake County Registry, thence from said beginning point, leaving and crossing said Right of Way, South 71°45'42" West 60.02' to a point on the Western Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), thence with said Right of Way North 19°34'32" West 17.56' to a point, thence North 18°31'03" West 52.61' to a point, thence North 17°32'19" West 51.14' to a point, thence North 15°50'28" West 51.25' to a point, thence North 15°04'37" West 50.98' to a point, thence North 14°04'25" West 50.90' to a point, thence North 12°51'19" West 101.26' to a point, thence North 11°28'18" West 12.75' to an existing rebar at the Southwestern Right of Way intersection with James Street (60' Public Right of Way), thence continuing along Schieffelin Road (S.R. 1306) Right of Way North 11°45'39" West 60.96' to a point at the Northwestern Right of Way intersection with James Street (60' Public Right of Way), thence North continuing along Schieffelin Road (S.R. 1306) Right of Way 11°42'39" West 28.32' to a point, thence North 11°16'48" West 10.29' to a point, thence leaving and crossing said Right of Way North 87°55'26" East 526.12' to an existing iron pipe, thence South 44°36'52" East 24.15' to an existing iron pipe, thence South 02°01'14" East 331.66' to an existing iron pipe, thence South 71°45'42" West 394.36' to the point and place of Beginning containing 4.777 Acres more or less.

1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

NORTH CAROLINA
WAKE COUNTY
I, STUART E. PLANTE III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE DASHED AND DRAWN FROM REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1: 34,596 +; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 17th DAY OF DECEMBER, 2020 A.D.,

Stuart E. Plante III PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-4432



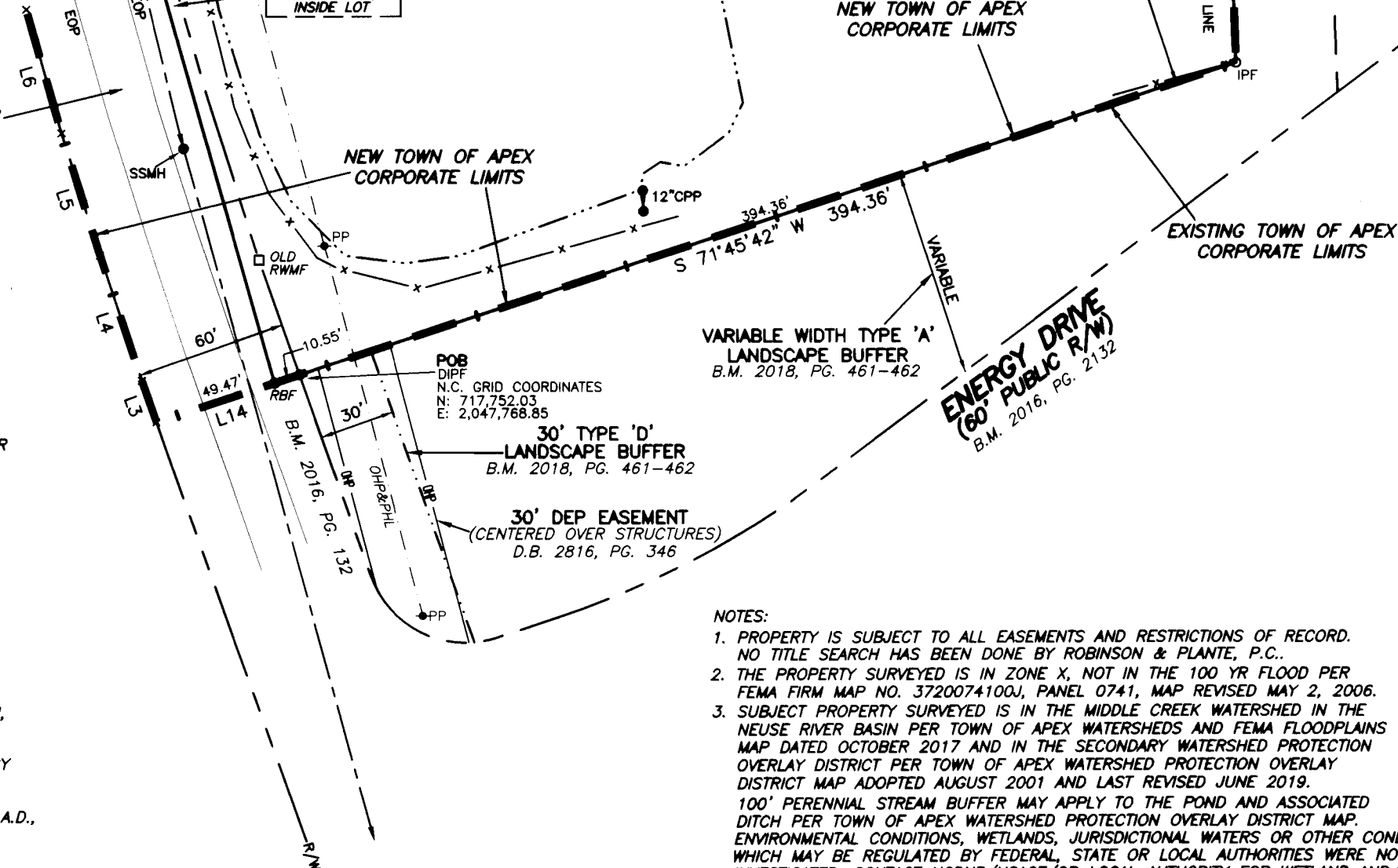
NOTE:
MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.



SCALE IN FEET

RECORDED IN BOOK OF MAPS _____ PAGE _____

0.579 ACRES
IN POSSIBLE R/W
OUTSIDE LOT



NOTES:

- PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE SEARCH HAS BEEN DONE BY ROBINSON & PLANTE, P.C..
- THE PROPERTY SURVEYED IS IN ZONE X, NOT IN THE 100 YR FLOOD PER FEMA FIRM MAP NO. 3720074100J, PANEL 0741, MAP REVISED MAY 2, 2006.
- SUBJECT PROPERTY SURVEYED IS IN THE MIDDLE CREEK WATERSHED IN THE NEUSE RIVER BASIN PER TOWN OF APEX WATERSHEDS AND FEMA FLOODPLAINS MAP DATED OCTOBER 2017 AND IN THE SECONDARY WATERSHED PROTECTION OVERLAY DISTRICT PER TOWN OF APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP ADOPTED AUGUST 2001 AND LAST REVISED JUNE 2019. 100' PERENNIAL STREAM BUFFER MAY APPLY TO THE POND AND ASSOCIATED DITCH PER TOWN OF APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP. ENVIRONMENTAL CONDITIONS, WETLANDS, JURISDICTIONAL WATERS OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL, STATE OR LOCAL AUTHORITIES WERE NOT INVESTIGATED. CONTACT NCDNR/USACE/OR LOCAL AUTHORITY FOR WETLAND AND/OR STREAM DETERMINATIONS.
- TOWN OF APEX UTILITY EASEMENT IS FOR WATER, SEWER, AND POWER PER B.M. 2006, PG. 1669.
- THE SOLE PURPOSE OF THIS MAP IS FOR ANNEXATION INTO THE TOWN OF APEX CORPORATE LIMITS.

ANNEXATION AREA

4.092 ACRES (AREA IN LOT INCLUSIVE OF AREA IN R/W)
0.106 ACRES (AREA IN JAMES ST. PRIVATE R/W)
0.579 ACRES (AREA IN SCHIEFFELIN RD. R/W OUTSIDE OF LOT)
4.777 ACRES (TOTAL ANNEXATION AREA INCLUSIVE OF AREA IN R/W)

OWNERS:
CATHLEEN M. WATSON
KENNETH L. WATSON
1200 JAMES ST.
APEX, NC 27502

LEGEND

(POB)—POINT OF BEGINNING
(DIPF)—DISTURBED IRON PIPE FOUND
(IPF)—IRON PIPE FOUND
(RBF)—REBAR FOUND
(X)—CALCULATED POINT
(CPP)—CORRUGATED PLASTIC PIPE
(RCP)—REINFORCED CONCRETE PIPE
(DIP)—DUCTILE IRON PIPE
(SSMH)—SANITARY SEWER MANHOLE
(MH)—MANHOLE
(CO)—CLEANOUT
(R/W)—RIGHT OF WAY
(C/L)—CENTERLINE
(DEP)—DUKE ENERGY PROGRESS
(EOP)—EDGE OF PAVEMENT
(WM)—WATER METER
(WV)—WATER VALVE
(WV)—WATER VALVE MONUMENT
(GM)—GAS METER
(CAB)—CABLE BOX
(MB)—MAIL BOX
(WSPK)—WATER SPIGOT
(AC)—AIR CONDITIONER
(TS)—TRAFFIC SIGN
(SUPP)—SUPPORT POLE
(LP)—LIGHT POLE
(PP)—POWER POLE
(GW)—GUY WIRE
(ES)—ELECTRIC SERVICE
(OHPL)—OVERHEAD POWER LINE
(OHP&PHL)—OVERHEAD PHONE LINE
(OHP&PHL)—OVERHEAD POWER & PHONE LINE
(OHSUPL)—OVERHEAD SUPPORT LINE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°55'26" E	526.12'
L2	S 44°36'52" E	24.15'
L3	N 19°34'32" W	17.56'
L4	N 18°31'03" W	52.61'
L5	N 17°32'19" W	51.14'
L6	N 15°50'28" W	51.25'
L7	N 15°04'37" W	50.98'
L8	N 14°04'25" W	50.90'
L9	N 12°51'19" W	101.26'
L10	N 11°28'18" W	12.75'
L11	N 11°45'39" W	60.96'
L12	N 11°42'39" W	28.32'
L13	N 11°16'48" W	10.29'
L14	S 71°45'42" W	60.02'

CONTIGUOUS ANNEXATION MAP FOR THE TOWN OF APEX

ROBINSON & PLANTE, P.C.
LAND SURVEYING
C-2687
970 TRINITY ROAD
RALEIGH, NC 27607
PHONE: (919)859-6030 FAX: (919)859-6032

TOWNSHIP: WHITE OAK

COUNTY: WAKE

SURVEY DATE: 1-15-2020

SURVEYED BY: KS

STATE: NORTH CAROLINA

SCALE: 1"=60'

DRAWN BY: HS

ZONE: MD

P.I.N.: 0741.08-78-9012

CHECKED &
CLOSURE BY: SEP

FILE: WATSONSANNEX

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0321066**PIN # **0741789012**Account
SearchLocation Address
1200 JAMES STProperty Description
LO12 RCMB BARNHILL & LONG HRS BM2004-01194[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner PEAK CITY PARTNERS LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 1330 SUNDAY DR STE 105 RALEIGH NC 27607-5196	Property Location Address 1200 JAMES ST APEX NC 27502-2140
Administrative Data Old Map # 012-00000-0000 Map/Scale 0741 08 VCS 20AP900 City Fire District 23 Township WHITE OAK Land Class R-<10-HS ETJ AP Spec Dist(s) Zoning MD History ID 1 History ID 2 Acreage 4.09 Permit Date 11/6/2020 Permit # 0000000042		Transfer Information Deed Date 9/30/2020 Book & Page 18103 0152 Revenue Stamps 1000.00 Pkg Sale Date 9/30/2020 Pkg Sale Price \$500,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 1,500	Assessed Value Land Value Assessed \$302,400 Bldg. Value Assessed \$133,714 Tax Relief Land Use Value Use Value Deferral Historic Deferral Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$436,114

*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at Taxhelp@wakegov.com or call 919-856-5400.



RESOLUTION SETTING DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S. § 160A-31 AS AMENDED

Annexation Petition #699
Peak City Partners, LLC (1200 James Street)

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 26th day of January 2021.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, www.apexnc.org, Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 12th day of January 2021.

Jacques K. Gilbert, Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC, Town Clerk

Beginning at an iron pipe found disturbed on the Eastern Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), said iron pipe having N.C. Grid Coordinates (NAD83/2001) of N=717,752.03, E= 2,047,768.85 as shown on Book of Maps 2003, Page 503, Wake County Registry, thence from said beginning point, leaving and crossing said Right of Way, South 71°45'42" West 60.02' to a point on the Western Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), thence with said Right of Way North 19°34'32" West 17.56' to a point, thence North 18°31'03" West 52.61' to a point, thence North 17°32'19" West 51.14' to a point, thence North 15°50'28" West 51.25' to a point, thence North 15°04'37" West 50.98' to a point, thence North 14°04'25" West 50.90' to a point, thence North 12°51'19" West 101.26' to a point, thence North 11°28'18" West 12.75' to an existing rebar at the Southwestern Right of Way intersection with James Street (60' Public Right of Way), thence continuing along Schieffelin Road (S.R. 1306) Right of Way North 11°45'39" West 60.96' to a point at the Northwestern Right of Way intersection with James Street (60' Public Right of Way), thence North continuing along Schieffelin Road (S.R. 1306) Right of Way 11°42'39" West 28.32' to a point, thence North 11°16'48" West 10.29' to a point, thence leaving and crossing said Right of Way North 87°55'26" East 526.12' to an existing iron pipe, thence South 44°36'52" East 24.15' to an existing iron pipe, thence South 02°01'14" East 331.66' to an existing iron pipe, thence South 71°45'42" West 394.36' to the point and place of Beginning containing 4.777 Acres more or less.

Beginning at an iron pipe found disturbed on the Eastern Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), said iron pipe having N.C. Grid Coordinates (NAD83/2001) of N=717,752.03, E=2,047,768.85 as shown on Book of Maps 2003, Page 503, Wake County Registry, thence from said beginning point, leaving and crossing said Right of Way, South 71°45'42" West 60.02' to a point on the Western Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), thence with said Right of Way North 19°34'32" West 17.56' to a point, thence North 18°31'03" West 52.61' to a point, thence North 17°32'19" West 51.14' to a point, thence North 15°50'28" West 51.25' to a point, thence North 15°04'37" West 50.98' to a point, thence North 14°04'25" West 50.90' to a point, thence North 12°51'19" West 101.26' to a point, thence North 11°28'18" West 12.75' to an existing rebar at the Southwestern Right of Way intersection with James Street (60' Public Right of Way), thence continuing along Schieffelin Road (S.R. 1306) Right of Way North 11°45'39" West 60.96' to a point at the Northwestern Right of Way intersection with James Street (60' Public Right of Way), thence North continuing along Schieffelin Road (S.R. 1306) Right of Way 11°42'39" West 28.32' to a point, thence North 11°16'48" West 10.29' to a point, thence leaving and crossing said Right of Way North 87°55'26" East 526.12' to an existing iron pipe, thence South 44°36'52" East 24.15' to an existing iron pipe, thence South 02°01'14" East 331.66' to an existing iron pipe, thence South 71°45'42" West 394.36' to the point and place of Beginning containing 4.777 Acres more or less.

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 699
Fee Paid \$ 200.00

Submittal Date: 10/1/20
Check # 1912

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Peak City Partners LLC

0741789012

Owner Name (Please Print)

Property PIN or Deed Book & Page #

919-210-1996

vdhawan@greenhawkcorp.com

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

Owner Name (Please Print)

Property PIN or Deed Book & Page #

Phone

E-mail Address

Surveyor Information

Surveyor: Robinson & Plante, PC

Phone: 919-859-6030

Fax: 919-859-6032

E-mail Address: kevin@robinsonplante.com

Annexation Summary Chart

Property Information

Total Acreage to be annexed: 4.777
Population of acreage to be annexed: 0
Existing # of housing units: 1
Proposed # of housing units: 0
Zoning District*: TF-CZ

Reason(s) for annexation (select all that apply)

Need water service due to well failure ☐
Need sewer service due to septic system failure ☐
Water service (new construction) ☐
Sewer service (new construction) ☐
Receive Town Services ☒

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 699

Submittal Date: 10/1/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, Peak City Partners, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 30 day of September, 2020.

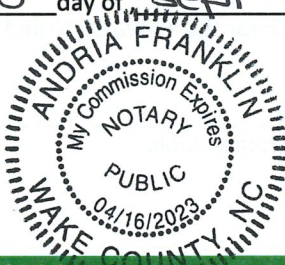
Name of Limited Liability Company Peak City Partners, LLC

By: 
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Andria Franklin, a Notary Public for the above State and County, this the 30 day of Sept, 2020.

SEAL




Notary Public

My Commission Expires: 4/16/2023

COMPLETE IF IN A PARTNERSHIP

In witness whereof, _____, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the ____ day of _____, 20____.

Name of Partnership _____

By: _____
Signature of General Partner

STATE OF NORTH CAROLINA
COUNTY OF WAKE

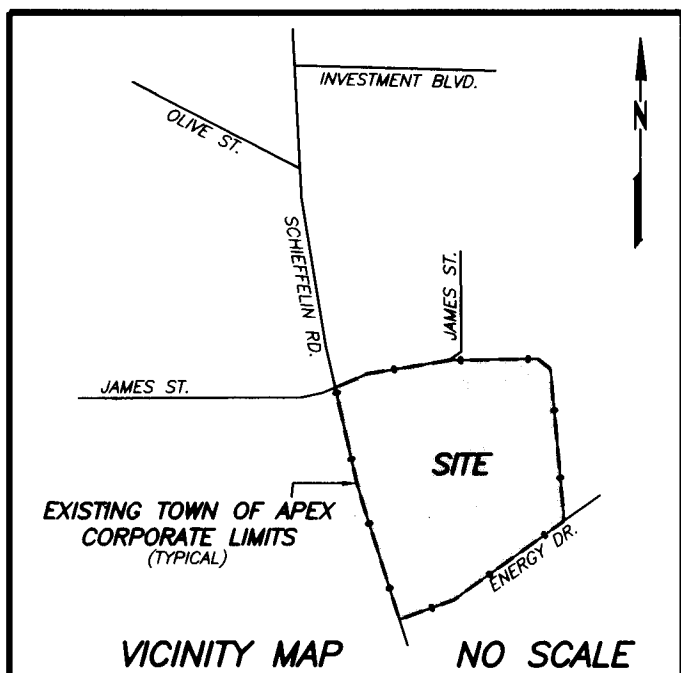
Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the ____ day of _____, 20____.

SEAL

Notary Public

My Commission Expires: _____

Beginning at an iron pipe found disturbed on the Eastern Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), said iron pipe having N.C. Grid Coordinates (NAD83/2001) of N=717,752.03, E=2,047,768.85 as shown on Book of Maps 2003, Page 503, Wake County Registry, thence from said beginning point, leaving and crossing said Right of Way, South 71°45'42" West 60.02' to a point on the Western Right of Way of Schieffelin Road (S.R. 1306) (60' Public Right of Way), thence with said Right of Way North 19°34'32" West 17.56' to a point, thence North 18°31'03" West 52.61' to a point, thence North 17°32'19" West 51.14' to a point, thence North 15°50'28" West 51.25' to a point, thence North 15°04'37" West 50.98' to a point, thence North 14°04'25" West 50.90' to a point, thence North 12°51'19" West 101.26' to a point, thence North 11°28'18" West 12.75' to an existing rebar at the Southwestern Right of Way intersection with James Street (60' Public Right of Way), thence continuing along Schieffelin Road (S.R. 1306) Right of Way North 11°45'39" West 60.96' to a point at the Northwestern Right of Way intersection with James Street (60' Public Right of Way), thence North continuing along Schieffelin Road (S.R. 1306) Right of Way 11°42'39" West 28.32' to a point, thence North 11°16'48" West 10.29' to a point, thence leaving and crossing said Right of Way North 87°55'26" East 526.12' to an existing iron pipe, thence South 44°36'52" East 24.15' to an existing iron pipe, thence South 02°01'14" East 331.66' to an existing iron pipe, thence South 71°45'42" West 394.36' to the point and place of Beginning containing 4.777 Acres more or less.

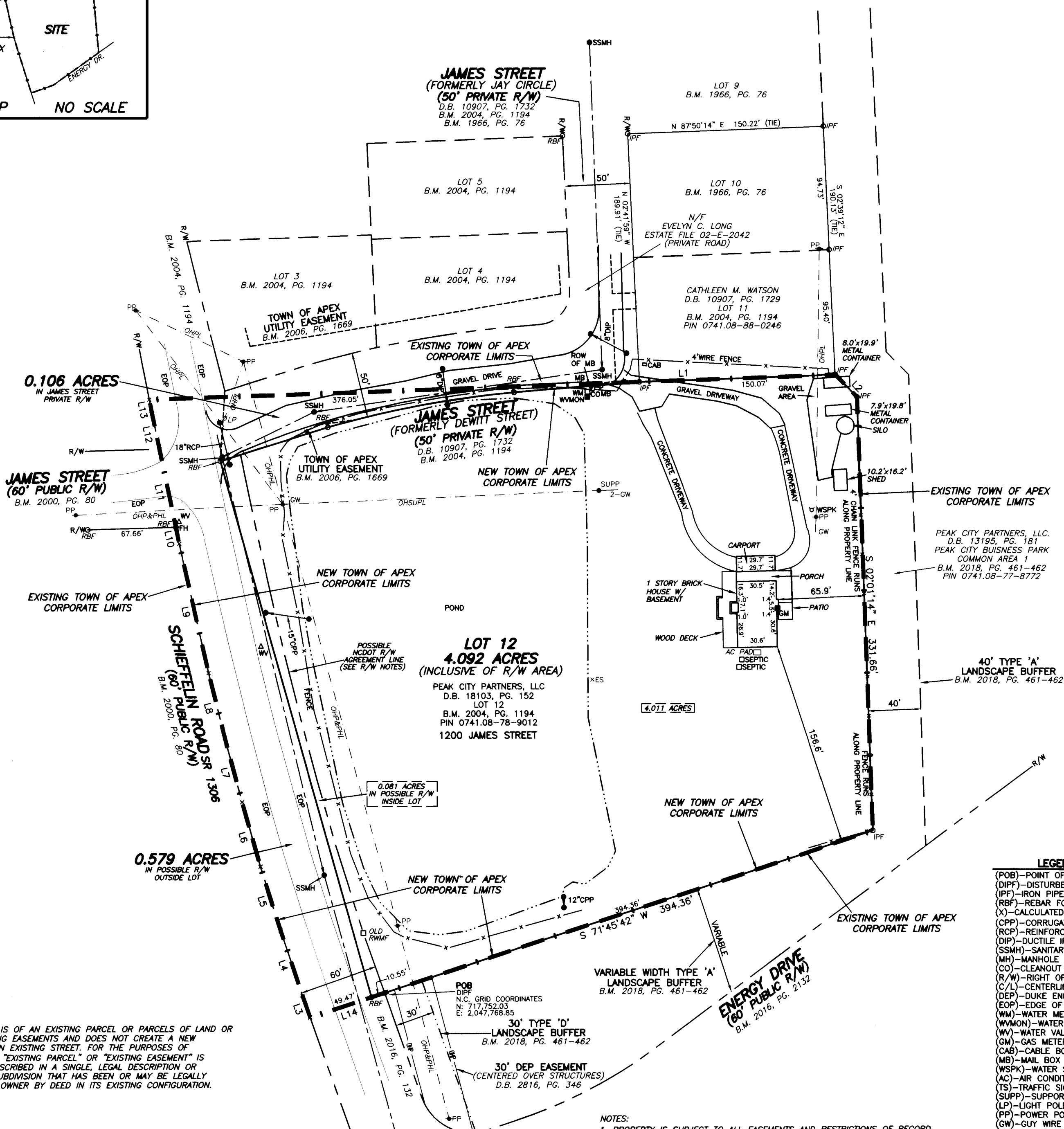


REFERENCES:
1. D.B. 1768, PG. 5
D.B. 1797, PG. 142

ANNEXATION# _____
I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____, BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY / MONTH / YEAR

DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
-SEAL-

R/W NOTES:
1. SCHIEFFELIN RD(SR 1306) IS A 60' PUBLIC R/W PER B.M. 2004, PG. 1194, B.M. 2000, PG. 80, AND B.M. 2016, PG. 132. NO DEED OR MAP FOUND DESCRIBING SCHIEFFELIN RD. WIDTH IN FRONT OF THE WATSON PROPERTY AND MAY BE NCDOT MAINTAINED LIMITS. 60' POSSIBLE ROAD WIDTH SHOWN TO BE CONSISTANT WITH MAPS ADJOINING THE PROPERTY SURVEYED.



1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET, FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

NORTH CAROLINA
WAKE COUNTY
STUART E. PLANTE III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE DASHED AND DRAWN FROM REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:34,596; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 17th DAY OF DECEMBER, 2020 A.D.,

Stuart E. Plante III
PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-4432



OWNERS:
PEAK CITY PARTNERS, LLC
1330 SUNDAY DR. SUITE 105
RALEIGH, NC 27607

NOTES:
1. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE SEARCH HAS BEEN DONE BY ROBINSON & PLANTE, P.C.
2. THE PROPERTY SURVEYED IS IN ZONE X, NOT IN THE 100 YR FLOOD PER FEMA FIRM MAP NO. 3720074100J, PANEL 0741, MAP REVISED MAY 2, 2006.
3. SUBJECT PROPERTY SURVEYED IS IN THE MIDDLE CREEK WATERSHED IN THE NEUSE RIVER BASIN PER TOWN OF APEX WATERSHEDS AND FEMA FLOODPLAINS MAP DATED OCTOBER 2017 AND IN THE SECONDARY WATERSHED PROTECTION OVERLAY DISTRICT PER TOWN OF APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP ADOPTED AUGUST 2001 AND LAST REVISED JUNE 2019.
100' PERENNIAL STREAM BUFFER MAY APPLY TO THE POND AND ASSOCIATED DITCH PER TOWN OF APEX WATERSHED PROTECTION OVERLAY DISTRICT MAP. ENVIRONMENTAL CONDITIONS, WETLANDS, JURISDICTIONAL WATERS OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL, STATE OR LOCAL AUTHORITIES WERE NOT INVESTIGATED. CONTACT NCDNR/USACE/OR LOCAL AUTHORITY FOR WETLAND AND/OR STREAM DETERMINATIONS.
4. TOWN OF APEX UTILITY EASEMENT IS FOR WATER, SEWER, AND POWER PER B.M. 2006, PG. 1669.
5. THE SOLE PURPOSE OF THIS MAP IS FOR ANNEXATION INTO THE TOWN OF APEX CORPORATE LIMITS.

ANNEXATION AREA

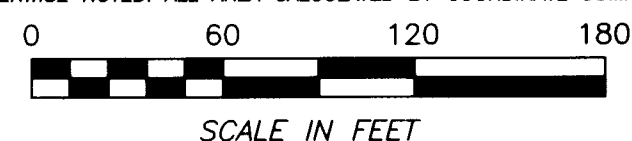
4.092 ACRES (AREA IN LOT INCLUSIVE OF AREA IN R/W)
0.106 ACRES (AREA IN JAMES ST. PRIVATE R/W)
0.579 ACRES (AREA IN SCHIEFFELIN RD. R/W OUTSIDE OF LOT)
4.777 ACRES (TOTAL ANNEXATION AREA INCLUSIVE OF AREA IN R/W)

LEGEND
(POB)-POINT OF BEGINNING
(DIPF)-DISTURBED IRON PIPE FOUND
(IPF)-IRON PIPE FOUND
(RBF)-REBAR FOUND
(X)-CALCULATED POINT
(CPP)-CORRUGATED PLASTIC PIPE
(RCP)-REINFORCED CONCRETE PIPE
(DIP)-DUCTILE IRON PIPE
(SSMH)-SANITARY SEWER MANHOLE
(MH)-MANHOLE
(CO)-CLEANOUT
(R/W)-RIGHT OF WAY
(C/L)-CENTERLINE
(DEP)-DUKE ENERGY PROGRESS
(EOP)-EDGE OF PAVEMENT
(WM)-WATER METER
(WV)-WATER VALVE MONUMENT
(GW)-GAS METER
(CAB)-CABLE BOX
(MB)-MAIL BOX
(WSPK)-WATER SPIGOT
(AC)-AIR CONDITIONER
(TS)-TRAFFIC SIGN
(SUPP)-SUPPORT POLE
(LP)-LIGHT POLE
(PP)-POWER POLE
(GW)-GUY WIRE
(ES)-ELECTRIC SERVICE
(OHP)-OVERHEAD POWER LINE
(OHPH)-OVERHEAD PHONE LINE
(OHPHPL)-OVERHEAD POWER & PHONE LINE
(OHSUPL)-OVERHEAD SUPPORT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 87°55'26" E	526.12'
L2	S 44°36'52" E	24.15'
L3	N 19°34'32" W	17.56'
L4	N 18°31'03" W	52.61'
L5	N 17°32'19" W	51.14'
L6	N 15°50'28" W	51.25'
L7	N 15°04'37" W	50.98'
L8	N 14°04'25" W	50.90'
L9	N 12°51'19" W	101.26'
L10	N 11°28'18" W	12.75'
L11	N 11°45'39" W	60.96'
L12	N 11°42'39" W	28.32'
L13	N 11°16'48" W	10.29'
L14	S 71°45'42" W	60.02'

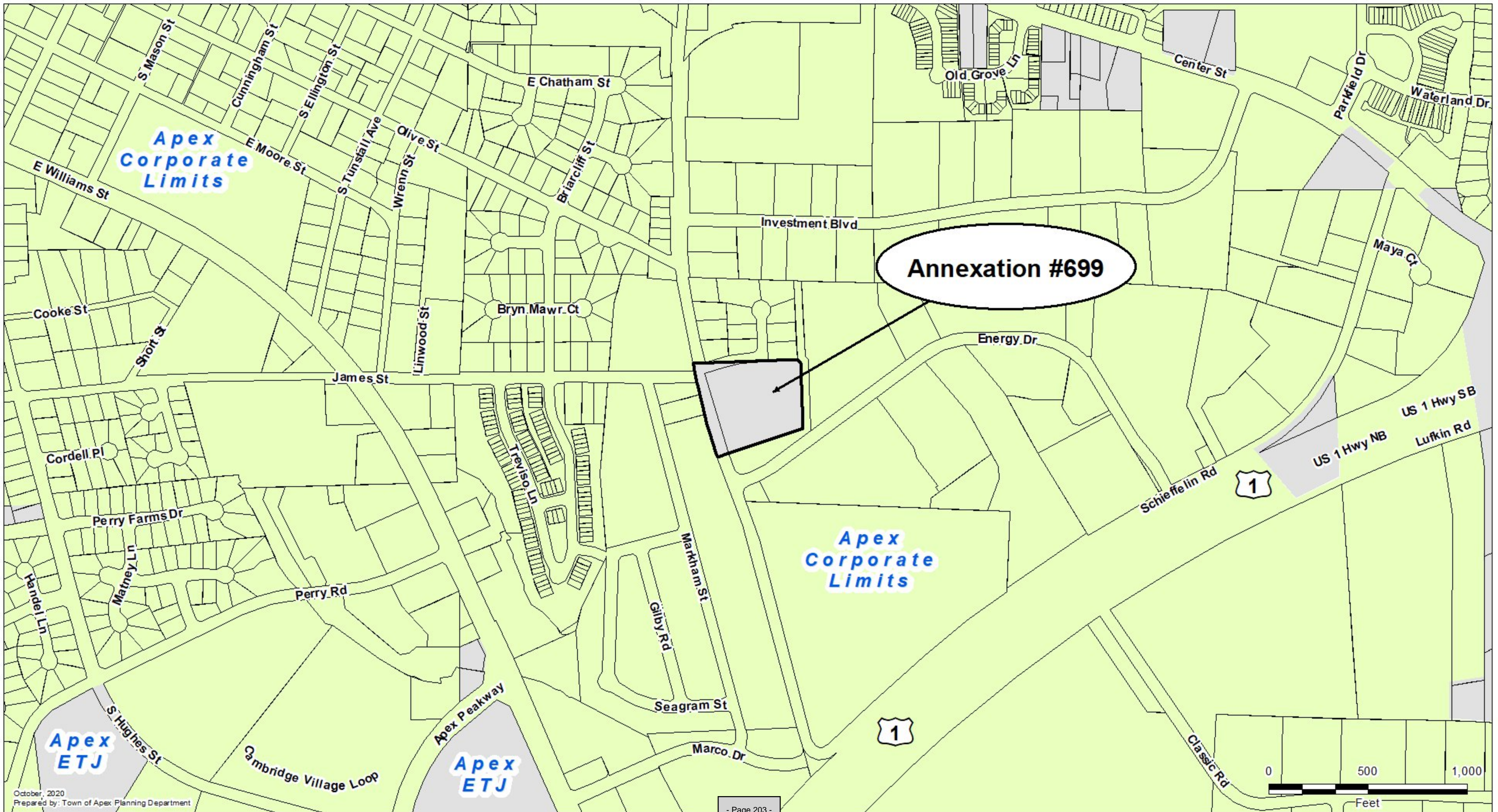
REVISIONS		CONTIGUOUS ANNEXATION MAP FOR		ROBINSON & PLANTE, P.C.	
1-6-2021: UPDATED OWNERS INFORMATION		THE TOWN OF APEX		LAND SURVEYING C-2687 970 TRINITY ROAD RALEIGH, NC 27607 PHONE: (919)859-6030 FAX: (919)859-6032	
		TOWNSHIP: WHITE OAK	COUNTY: WAKE	SURVEY DATE: 1-15-2020	SURVEYED BY: KS
		STATE: NORTH CAROLINA		SCALE: 1"=60'	DRAWN BY: HS
		ZONE: MD	P.I.N.: 0741.08-78-9012	CHECKED & CLOSURE BY: SEP	FILE: WATSONSANNEXR1

NOTE:
ENCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREA CALCULATED BY COORDINATE COMPUTATION.

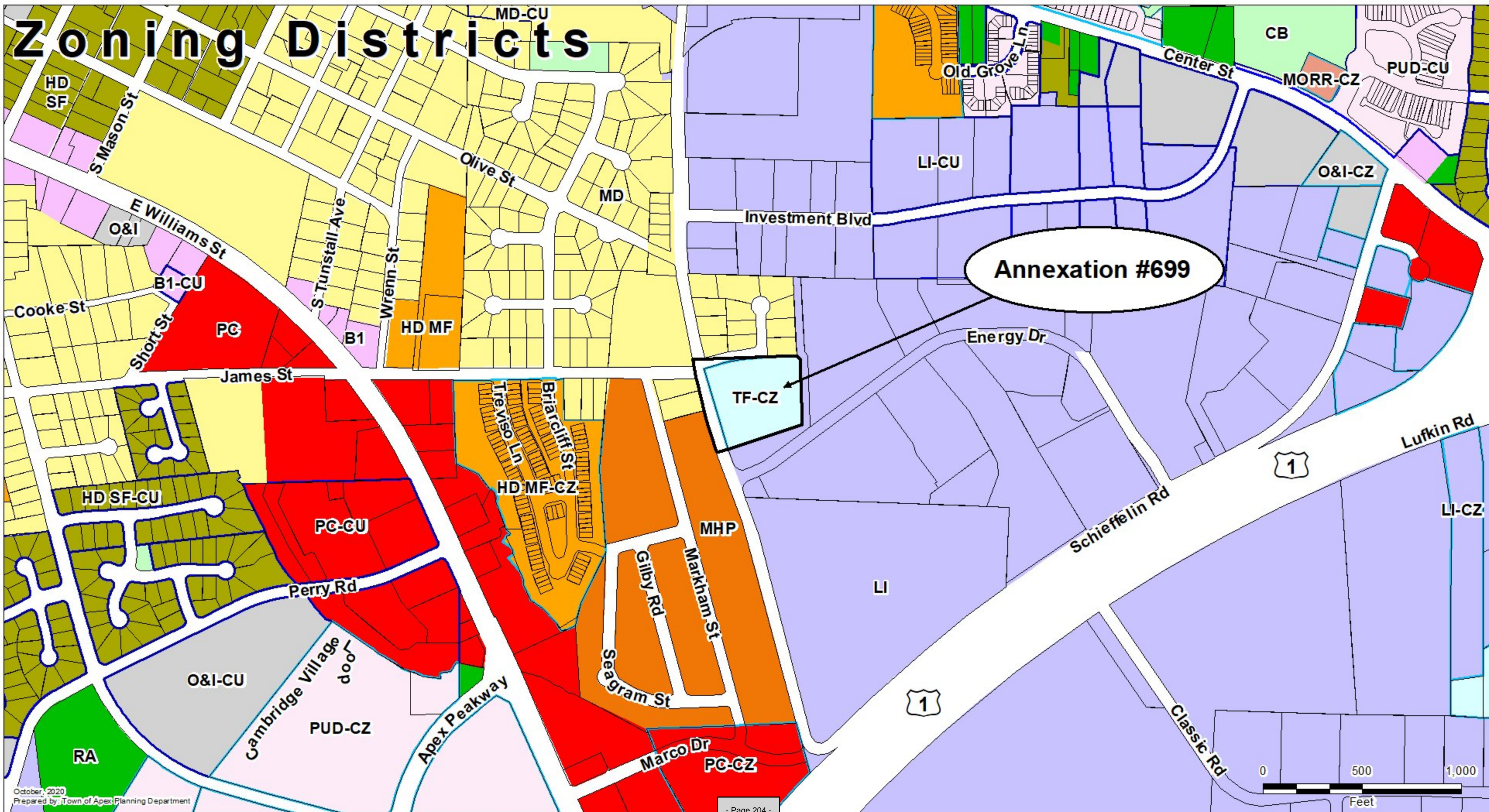


RECORDED IN BOOK OF MAPS PAGE _____





Zoning Districts



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Joanna Helms, Economic Development Director

Department(s): Economic Development

Requested Motion

Motion to set the public hearing for the January 26, 2021 Town Council meeting to consider and receive public input on providing an economic development incentive for "Project Delta" in accordance with the Town's policy (Development Investment Grant).

Approval Recommended?

Yes

Item Details

Attachments

- Proposed Incentive Scenario



Town Council September 15, 2020
Closed Session

PROJECT DELTA

Type: Distribution and Office

Location: Cash Corporate Center

Acreage: Approximately 26 acres

Facility: 300,000 sf (new construction)

Jobs: 220

Wages - \$52,000/year average

Investment: \$32 million

Proposed Incentive Scenario:

<div style="display: flex; justify-content: space-between;"><div><div style="text-align: right;">\$32,000,000 (investment)</div><div style="text-align: right;">\$100 (valuation)</div></div><div><div style="text-align: center;">=</div><div style="text-align: center;">x .38</div><div style="text-align: center;">=</div><div style="text-align: center;">\$121,600</div><div style="text-align: center;">* 90%</div><div style="text-align: center;">=</div><div style="text-align: center;">\$109,440</div><div style="text-align: center;">* 3</div><div style="text-align: center;">=</div><div style="text-align: center;">\$328,320</div></div><div><div style="text-align: right;">(tax rate)</div><div style="text-align: right;">(annual taxes paid)</div><div style="text-align: right;">(annual incentive)</div><div style="text-align: right;">(years)</div><div style="text-align: right;">(total incentive)</div></div></div>
--

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Russell Dalton, Sr. Transportation Engineer

Department(s): Public Works & Transportation

Requested Motion

Motion to approve an Ordinance amending Section 20-164 with the addition of subsection (39) to enforce a No Parking restriction along both sides of Perry Road from Apex Peakway to American Way.

Approval Recommended?

Yes

Item Details

Apex Police have received complaints of trucks parked along Perry Road north of Apex Peakway where such activity has caused safety concerns for drivers traveling along the roadway and observing the marked center line. Perry Road is a two-lane roadway not originally intended for on street parking. Based on review of this parking activity, Apex Police have requested a No Parking ordinance and posting of signs to discourage parking along the roadway and enforce such restrictions when parking occurs. Public Works & Transportation staff recommend the posting of signs as shown in the attached map based on the proposed ordinance.

Attachments

- Ordinance No. 2021-0112-01
- Map of Proposed "No Parking" signs



ORDINANCE NO. 2021-0112-01

**AN ORDINANCE TO AMEND SECTION 20-164 OF THE CODE OF ORDINANCES OF
THE TOWN OF APEX**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Section 20-164 of the Code of Ordinances of the Town of Apex is hereby amended to add subsection (39) as follows:

Sec. 20-164. - No parking zones.

(38) Along both sides of Perry Road from Apex Peakway to American Way.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any part of this ordinance shall be adjudged invalid, such adjudication shall apply only to such part so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 3. This ordinance shall be effective on the 12th day of January 2021.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, MMC, NCCMC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe,
Town Attorney

Town of Apex Ordinance 20-164 (39) Proposed:

“No Parking” for Perry Road from Apex Peakway to American Way

1-12-2021



● = Proposed sign
24"x30"



R8-3a

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Adam Stephenson, Engineering Supervisor

Department(s): Public Works & Transportation

Requested Motion

Motion to approve revisions to the Town Standard Specifications and Details.

Approval Recommended?

Yes

Item Details

Proposed revisions to the Town Standard Specifications and Details have been drafted to include a new Greenway Trails section. These proposed revisions were spearheaded by the Parks, Recreation, & Cultural Resources Department and included input from Water Resources, Planning & Community Development, and Public Works & Transportation staff.

Following approval of these revisions, the files will be updated on the Town website.

Attachments

- Summary of Revisions
- Standard Specifications
- Standard Details



TOWN OF APEX
STANDARD SPECIFICATIONS & STANDARD DETAILS

SUMMARY OF REVISIONS

January 12, 2021

Standard Specifications

Section 900 – Greenway Trails (new section)

Standard Details

Revised Details:

Section 900 – Greenway Trails (new section)

1. 900.01* Greenway Sections (formerly #200.03)
Added aggregate shoulder.
2. 900.02* Boardwalk (formerly 200.05)
Added additional elements, views, and requirements.
3. 900.03* Greenway Signage (formerly #200.06)
Added regulatory and warning signage.

New Details:

Section 200 – General Provisions

4. 200.03 Safety Rail
5. 200.05 Handrail

Section 900 – Greenway Trails (new section)

6. 900.04 Concrete Approach Slab
7. 900.05 Bench, Trash, Recycling, Dog Station
8. 900.06 Bollard
9. 900.07 Greenway Curb Ramp
10. 900.08 Street-Side Greenway

*These details have been moved from General Provisions section to new Greenway Trails section and renumbered.

SECTION 900 GREENWAY TRAILS
--

- 901 General**
- 902 Greenway Design Plans**
 - A. General**
 - B. Record Drawings**
 - C. Easements, Encroachments, and Permits**
 - D. Plan Notes**
- 903 Greenway Trails**
 - A. General**
 - B. Easements**
 - C. Design Speed**
 - D. Horizontal Alignment**
 - E. Cross Slope**
 - F. Vertical Alignment**
 - G. Side Slopes**
 - H. Pavement Structure**
 - I. Drainage**
 - J. Clearances**
- 904 Proof-Rolling of Subgrades for Greenways**
- 905 Trail Amenities**
- 906 Signage**
 - A. Regulatory and Warning**
 - B. Wayfinding**
- 907 Street Crossings**
 - A. At-Grade Crossings**
 - B. Grade Separated Crossings**
- 908 Retaining Walls**
- 909 Greenway Structures**
 - A. Boardwalks & Bridges**
 - 1) Clearance**
 - 2) Footings and Wing Walls**
 - 3) Concrete Approach**
 - 4) Handrails**
 - 5) Materials**

- 6) Fabrication
 - 7) Railings and Accessories
 - 8) Finishes
 - 9) Delivery and Erection
 - 10) Quality
 - 11) Pre-Engineered Bridges
- B. Underpasses, Tunnels, and Culverts**
-

901 General

All construction shall conform to the requirements and dimensions on the approved construction plans, Town Standard Details, the Unified Development Ordinance, the latest edition of AASHTO Guide for the Development of Bicycle Facilities, Section 405 of 2009 ANSI A117.1., and the Shared Use Path Accessibility Guidelines as published by the United States Access Board, or as stated in these Specifications, whichever, in the opinion of the ENGINEER, is applicable. Any conflicting requirements or lack of information shall be brought to the attention of the Town prior to construction.

902 Greenway Design Plans

A. General

Greenway designs shall be on a separate plan and profile sheet. Plan view grading shall be at a maximum scale of 1 inch equals 40 feet with 1 foot contours shown. Cross sections shall be provided at a minimum of every 50 feet. Plan and profile for greenway trails, and an Engineer-sealed estimate of probable cost, which is approved by the Director of Parks, Recreation, and Cultural Resources, and the Director of Water Resources or their designee, are required for Construction Plan approval. The total length of greenway trail to be constructed shall be listed on the plan sheet. The length of each trail section with a running slope in excess of 5 percent shall be indicated, and the overall percentage of the designed trail that exceeds 8.33 percent shall be indicated. All trail amenities, fences, storm drainage, proximate utilities, easements, details, notes, and any other requirements shall be shown on these plans.

B. Record Drawings

Record drawings will be required prior to acceptance of routine maintenance/warranty of the greenway by the Town (refer to Unified Development Ordinance Section 14.1.5.C.5 Performance Guarantee).

C. Easements, Encroachments, and Permits

Greenway easements shall be dedicated with the first final subdivision plat submitted for the development. All easements, encroachments, and/or permits required for on-site and

off-site facilities must be obtained by applicant prior to beginning work. Easements within which shoulders, swales, or appurtenances are not contained will require amendment via recorded plat. All required permitting, certifications, and geotechnical reports shall be submitted to the Town prior to the Town's acceptance of routine maintenance/warranty on public or private greenway trails.

D. Plan Notes

The following notes shall be included on all greenway design plans:

1. Contractor shall confine construction activity within limits of disturbance.
2. Contractor shall retain a North Carolina Professional Land Surveyor to stake centerline of the trail as shown on the Layout Plan. The trail shall be staked at 50 foot intervals in the field.
3. Staked centerline of the trail shall be approved by the Parks and Greenways Planner or designee for Town projects.
4. Erect tree protection fence along limit of disturbance for approval by Site Inspector.
5. Install required erosion control measures prior to construction.
6. Contractor shall call for utility locations prior to construction.
7. All disturbed areas shall be seeded per North Carolina Department of Environmental Quality Temporary and Permanent Seeding Specifications.
8. Grade side slopes and adjacent ground to drain. Ensure that there is no standing water on the uphill side of the trail. Install a diversion ditch as needed to direct water to culverts.
9. Additional culverts will be added as needed during construction to prevent erosion and standing water on the greenway trail.
10. The Infrastructure Inspector shall inspect proof-roll of Town maintained greenway trails prior to placement of fabric and stone. The trail shall also be proof-rolled prior to paving. A minimum of 100 percent compaction is required. All private greenway trails shall be proof-rolled by a NC-licensed Geotechnical Engineer who shall provide a report to the Infrastructure Inspector.
11. All trails that intersect with a curbed road shall have an accessible Greenway Curb Ramp as specified on plans. Ramp widths shall be same width as trail, and include a level landing at top of ramp in accordance with the Standard Detail. If intersecting a road with no curb and gutter, a detectable warning surface shall be installed in accordance with the Detail. The centerline of all Greenway Curb Ramps perpendicular to roadway shall align with centerline of trail.
12. The contractor shall ensure that all access points leading to the trail are posted with signs that read Trail Closed for Construction. Barriers shall be installed at the ends of any incomplete greenway segments that have a longitudinal slope greater than 3:1, or other hazardous conditions.
13. Asphalt technicians shall verify asphalt depth on site and provide certification in writing to the Infrastructure Inspector via email for review and approval.
14. All greenway bridges, boardwalks, and retaining walls will require Town of Apex building permits.

15. All trail intersections with roadways, sidewalks, or other trails shall include 3.5 feet minimum edge radii.
16. One trash and recycle receptacle with concrete slab and one dog station with concrete slab shall be installed at each access entrance after trail has been paved prior to trail acceptance by Town, and benches may be provided along trails.
17. Developer/applicant shall obtain Wake County and NCDOT Rail Division approval for trail connections and alterations within the American Tobacco Trail corridor; if any changes are requested by Wake County or NCDOT, these changes must be reviewed and approved by Town of Apex Technical Review Committee staff as a revision to approved plans. See NCDOT Rail Corridor Preservation Policy, Adopted Policy # A.09.0102, as updated.
18. Adequate sight distance shall be provided for trail users at trail entrances and intersections.

903 Greenway Trails

A. General

All proposed greenways shall conform to the Bicycle and Pedestrian System Plan Map. Town greenway trails are intended to accommodate multiple user types including pedestrians, bicyclists, non-motorized scooters, and rollerbladers among others.

B. Easements

Public Greenway Easements (PGE) shall be 20 feet minimum width with the trail centered within the easement and encompass swales and culverts for maintenance. Trail connections to neighborhoods shall be publicly owned and maintained. PGEs may not be located within residential lots. Shared public greenway and water or sanitary sewer easements shall be 30 feet minimum width, but could be greater depending on the utility line size and depth in accordance with Section 700. No greenway trails or easements shall be co-located within any stormwater control measures (SCMs) or access easements, except private trails as approved by Town staff. No shrub or tree plantings, or private fences are allowed within the greenway easement.

C. Design Speed

In establishing horizontal and vertical curvature for paved greenway trails, a design speed of 18 mph shall be used. For greenway connector trails (short lengths of publicly maintained paved trail from a neighborhood to the main greenway trail), street-side greenways, and private trails, a design speed of 12 mph may be used.

D. Horizontal Alignment

All public greenway and private trails shall be designed with a centerline alignment and stationing every 100 feet. All tangent sections of public greenways shall be connected

with horizontal curves. Greenway trail alignments shall have a minimum horizontal curve radius of 60 feet to meet the 18 mph design speed at a 20 degree lean angle. Greenway connector trails and street-side greenways shall have a minimum horizontal curve radius of 27 feet to meet the 12 mph design speed at a 20 degree lean angle. Minimum lateral clearances shall be met on all horizontal curves to provide adequate stopping sight distance.

E. Cross Slope

All public greenway and private trails shall have 1 percent minimum and 2 percent maximum cross slope with slope towards the downstream side. On vertical slopes with grades in excess of 5 percent, cross slopes shall be sloped to the inside of downhill curves.

F. Vertical Alignment

All vertical tangent sections shall be connected with vertical curves. Vertical curves shall be designed to provide adequate stopping sight distance on the trail. Unless necessitated by exceptional topography, greenway trail grades shall not be less than ½ percent. Maximum grades on greenways shall be 5 percent. Where topography necessitates grades to be in excess of 5 percent, Shared Use Path Accessibility Guidelines shall be applied to determine maximum length of grade and spacing of flat landings:

- Grades greater than 5 percent and up to a maximum of 8.33 percent shall be allowed for a maximum of 200 feet before requiring a landing 10 feet long with maximum slope of 2 percent in all directions.
- Grades greater than 8.33 percent and up to a maximum of 10 percent shall be allowed for a maximum of 30 feet before requiring a 10-foot landing.
- Grades greater than 10 percent and up to 12 percent shall be allowed for a maximum of 10 feet before requiring a 10-foot landing.
- No more than 30 percent of a greenway may exceed 8.33 percent.
- Grades that approach roadway or greenway crossings shall be limited to 5 percent maximum at least 10 feet ahead of the intersection or back of landings associated with curb ramps.

In all instances where grades exceed 8.33 percent, a metal handrail shall be installed on both sides, offset 1 foot from the edge of the trail.

G. Side Slopes

Side slope should be 3:1 or flatter. Where fill slopes are steeper than 3:1, or where the trail is adjacent to a body of water, provide 5 feet graded shoulder width adjacent to the edge of paved trail for recovery, graded at 6:1 or flatter. Where a recovery area of 5 feet cannot be provided, a physical barrier such as safety rail shall be provided in the following circumstances:

- Slopes 3:1 or steeper, with a drop of 6 feet or more;
- Slopes 3:1 or steeper, adjacent to a parallel body of water;
- Slopes 2:1 or steeper, with a drop of 4 feet or more;
- Slopes 1:1 or steeper, with a drop of 1 foot or more.

Fill slopes steeper than 3:1 shall be engineered. Safety rail shall be located 1 foot minimum offset from trail edge where required.

H. Pavement Structure

Public greenway trails shall be constructed from either hot-mix asphalt (HMA) material or Portland cement concrete (PCC). For asphalt greenway construction a woven geotextile fabric shall be used below the aggregate base course, with the following properties:

	TYPICAL	TEST
Tensile Strength	200 lbs	ASTM D4632-86
Elongation at Break	15%	ASTM D4632
Puncture Strength	100 lbs	ASTM D0751
Mullen Burst	400 psi	ASTM D0751/3786
Trapezoid Tear	75 lbs	ASTM D4533

After asphalt surface course is installed, the top 2 inches of granite screenings shall be placed. All granite screenings shall be compacted to at least 95 percent of their standard Proctor maximum dry density. Crushed Granite Screenings shall meet the following minimum gradation criteria:

SIEVE SIZE	PERCENT PASSING
1"	100%
0.50"	100%
#4	95-100%
#10	60-85%
#40	20-50%
#200	4-12%

I. Drainage

Site drainage should be collected on the uphill side of the trail in a grassed diversion ditch sized appropriately with minimum 1 foot depth, and piped to direct water under the trail to a creek or storm drain culvert, to eliminate flow across the trail. A Class B rip-rap dissipater with filter fabric shall be installed at upstream and downstream ends of all culverts. When culverts are located within the Town of Apex 100 foot Riparian Buffer area, properly sized culverts will be permitted to address natural swale and drainage draws. SCM outlets/culverts shall be extended under greenways located at toe of slope of SCMs with a yard inlet or catch basin installed on the upstream side of the greenway. When

dealing with drainage situations that cannot meet the requirements stated above due to topography or regulatory issues, a series of 8-inch pipes may be considered as an alternative solution.

J. Clearances

A minimum lateral clearance of 5 feet shall be maintained from the edge of the trail and vertical clearance of 10 feet from the trail surface, whenever possible. In shared greenway and utility corridors, the edge of pavement should be a minimum of 2 feet from the edge of any utility surface covers/plates (e.g. water valve covers, blow-offs, manholes), and boardwalk and bridge footings should be no closer than 4 feet from any utility.

Trees shall be limbed up a vertical distance of 10 feet from the forest floor, within 5 feet from the outside edge of the trail. Tree limbs and dead trees that present a danger to pedestrians utilizing the trail shall be removed during construction, as directed by the Parks and Greenways Planner or other Town staff. Minimum vertical clearance from trail surface to the lowest horizontal structural member of bridges shall be 10 feet.

904 Proof-Rolling of Subgrades for Greenways

The Infrastructure Inspector shall oversee the proof-roll of public greenway trails. Private trails shall be proof-rolled under supervision of a NC-licensed Geotechnical Engineer and a report shall be submitted to the Zoning Compliance Officer for acceptance. Public greenway and private trail proof-rolls shall be performed on the exposed subgrade soils along the full length of the proposed paved trail after clearing, grubbing, and topsoil removal are complete.

Proof-rolling shall be performed using a fully-loaded tandem-axle dump truck or equipment with minimum 10 ton static weight approved by Geotechnical Engineer. The Infrastructure Inspector for public trails, or Geotechnical Technician for private trails, shall assess problems including rutting, deflection, or pumping of subgrade soils and shall determine if the subgrade soils are suitable to allow placement of geotextile fabric and stone base. The Geotechnical Technician may require an NC-Licensed Geotechnical Engineer to evaluate and determine the need for remedial measures. The aggregate base course shall also be proof-rolled prior to asphalt or concrete placement. A minimum of 100 percent compaction is required.

905 Trail Amenities

All trailhead/trail access points shall have one trash receptacle, one recycling receptacle, and one dog station per Standard Detail which shall be shown on the approved plans and field located by the Parks and Greenway Planner or designee once the trail has been paved. Bollards shall be provided per Standard Detail.

906 Signage

A. Regulatory and Warning

Greenway signage shall be established in accordance with MUTCD: Traffic Control for Bicycle Facilities, Part 9. Greenway signage shall be located where necessary in accordance with Standard Details and approved plans. Coordination with the Town Transportation and Engineering staff is required to determine vehicular sign needs for all greenway crossings of roadways.

B. Wayfinding

All trail access points, intersections, and trailheads shall utilize the appropriate Wayfinding signs per Standard Detail. Wording on the sign and exact placement will be determined by the Parks and Greenways Planner. A proof of the proposed signage shall be submitted to the Parks and Greenways Planner for approval prior to ordering materials.

907 Street Crossings

A. At-Grade Crossings

When greenway trails cross a major collector road or higher order facility it is preferred that the crossing occurs at a signalized intersection with a crosswalk or via grade-separated crossing. This may require that the trail be extended a longer distance than would typically be required. Greenway trail crossings at mid-block or at unsignalized intersections shall be evaluated on a case-by-case basis per the North Carolina Pedestrian Crossing Guidance. Final greenway trail mid-block and unsignalized crossing designs shall be approved by Transportation and Engineering staff. Where roadway crossings are approved, a 10 feet wide high-visibility crosswalk with fluorescent yellow-green pedestrian crossing warning signs and downward arrow plaques shall be used. Site-specific supplemental signage and markings may be required.

Where a pedestrian crossing island is deemed necessary per Town engineering review, the island shall be raised, 6 feet minimum width, and 6 feet across to meet Public Right-of-Way Accessibility Guidelines. Angled crosswalks in the median that orient a pedestrian's attention toward oncoming traffic are preferred.

Crosswalk lighting needs shall be evaluated on a case-by-case basis. Where crosswalk lighting is deemed necessary, luminaires should provide 20 vertical lux at the crosswalk. Luminaries should be placed 10 feet in front of the crosswalk. On two directional roadways without the presence of a refuge median, 2 luminaries (1 on either side of the crossing) shall be provided.

B. Grade-Separated Crossings

Grade-separated crossings such as pedestrian tunnels and bridges are required when crossing controlled access facilities such as interstates, highways, and railroads. Consideration for grade separated crossings shall also be given when all of the following conditions prevail:

- A significant greenway corridor with high user volumes;
- Crossing of a facility with speed limit of 45 mph or higher;
- Crossing of a facility with 4 or more travel lanes;
- Absence of a signalized crossing within 1,000 feet.

908 Retaining Walls

Refer to Section 200 for retaining wall specifications. Building permits for retaining walls must be obtained in accordance with local permitting authorities. Wherever possible, retaining walls should be located outside of Public Greenway Easements. In residential developments, retaining walls which cannot be located outside of the Public Greenway Easement shall be located in a Retaining Wall Easement and shall be privately maintained. All retaining walls shall be installed at the lines, grades, and depths as shown on the approved plans. The base block size shall be commercial grade block. Compact, mini-block, or garden size block is not acceptable. Block retaining walls shall have a cap unit on the top of the wall and shall be integrally tinted medium or dark brown or rust color (per UDO Section 8.1). The selected retaining wall system shall be joined, pinned, and/or secured in accordance with the manufacturer's recommendations. Retaining walls with a vertical drop of 1 foot or more located adjacent to a trail shall provide safety railing per Standard Detail. For retaining walls that require screening with plantings, no plantings shall be located such that they will encroach into the trail or the 2-foot shoulders when plant reaches maturity. Trails shall maintain 2-foot level shoulders free of walls or fencing with a 3:1 or flatter side slope beyond the shoulder to the top of the adjacent retaining wall.

909 Greenway Structures

Greenway structures are required to be certified by a North Carolina Professional Engineer and shall include all necessary plan documents with the final Construction Plan set for approval. Working drawings shall be submitted by the manufacturer to the Town for review prior to manufacturing of any pre-fabricated structure.

A Town of Apex building permit must be obtained and approved Construction Plans must be submitted with the building permit application for all greenway structures.

Site soil properties are assumed to support foundation loads. Prior to construction, the contractor shall submit a geotechnical report to the Infrastructure Inspector and building permit authorities, indicating that the soil properties can support the foundation loads.

All required geotechnical reports and a sealed certification from a Structural Engineer (stating that boardwalk and/or bridge structures, including to outside ends of boardwalk approach ramps, were constructed in accordance with sealed designs) shall be submitted to the Infrastructure Inspector prior to Town's acceptance of the structure for maintenance.

All pedestrian structures, underpasses, and tunnels crossing roads owned and maintained by the NC Department of Transportation must receive NCDOT approval prior to beginning any work within the right of way.

All trail overpasses (over roadways and railways) shall meet current AASHTO and ADA standards for slopes per Section 903 F.

A. Boardwalks & Bridges

Boardwalks and bridges shall be designed in accordance with the AASHTO Standard Specifications for Highway Bridges, current edition. Design Live Load shall be for an AASHTO H5 vehicle with an evenly distributed load of 85 lbs/sqft or a concentrated load of 10,000 pounds at mid-span. Typical maximum longitudinal slope in any direction should not exceed 4 percent. Metal plaques shall be permanently affixed to both ends of structures indicating maximum weight capacity of structure and inside clear width.

Greenway bridges can either be constructed with a pre-engineered laminated beam construction or with structural steel with wooden decking and handrails. Typically, pre-engineered laminated beam bridges shall be utilized at locations that have adequate crane access for installation. Both styles of bridge shall be designed to meet or surpass the design requirements listed below.

Boardwalks and bridges that encroach FEMA floodway or non-encroachment area require a Conditional Letter of Map Revision prior to construction.

1) Clearance

Abutments shall not be located within the FEMA floodway and shall be located a minimum of 5 feet from the top of the stream bank. Boardwalks/bridges and abutments shall not be located within a sanitary sewer easement where crossing a waterway. In shared utility and greenway corridors boardwalk structures shall be located a minimum of 10 feet from the center of all existing sewer lines, and bridges and abutments shall be located a minimum of 20 feet from the center of all sewer lines. The lowest horizontal component of structures shall be a minimum of 4 feet above normal water level, and shall be above the 25-year storm elevation; elevation above the 100-year storm should be evaluated for feasibility. Minimum pile penetration for piers shall be 10 feet or a depth recommended by a North Carolina Professional Engineer. Illustrate

how high-water levels will pass without damaging bridge. Provide a section of the proposed bridge with the construction documents.

2) Footings and Wing Walls

Footings and wing walls shall be constructed with reinforced concrete as designed and sealed by a North Carolina Professional Engineer. A representative of the Geotechnical Engineer's staff shall approve the footing excavation bottoms prior to constructing bridge footings and placement of rebar and concrete. Tops of footings shall be 2 feet below adjacent creek bed elevation. Rip-rap stone shall be used to armor slopes and protect wing walls for bridge crossings per Standard Detail.

3) Concrete Approach

Approach slabs and everything between slabs shall be included in all required bridge and boardwalk certifications, and shall be considered part of bridge/ boardwalk structure. Bridge and boardwalk railings shall extend 8 feet minimum beyond the ends of bridge/ boardwalk per Standard Detail. Rip-rap stone shall be used to armor slopes for bridge/ boardwalk crossings, including areas around wing walls and end bents to reduce erosion at structures per Standard Detail.

4) Handrails

A handrail shall be installed on the railing of both sides of bridges and boardwalks that exceed a 5 percent running slope (approved only on a case-by-case basis). Handrails shall be designed and located in accordance with ADA and AASHTO requirements. Handrails must be of uniform height, 34 to 38 inches from the finished surface.

5) Materials

All structural members shall have a minimum nominal thickness of material of at least 2 inches. All hardware and fabricated connections shall be hot-dipped galvanized after fabrication in accordance with ASTM A153. Small members shall have pre-drilled holes to prevent splitting during construction. All members shall be screwed or bolted together. Joist hangers shall be galvanized. Treated lumber shall be used and be in accordance with the most current NCDOT Standard Specifications for Roads and Structures (Section 1082). For boardwalks, Southern Yellow Pine, Grade No. 2, shall be used except for top rail and routed handrail which shall be Southern Yellow Pine, Grade No. 1. For bridges Southern Yellow Pine, Grade No. 1, shall be used.

Structural bridge components shall be fabricated from laminating lumber. Laminating lumber shall be Southern Pine Kiln Dried and graded to meet the requirements of Standard Specifications for Structural Glued Laminated Timber (AITC 117). Lumber combination shall be used for identification. Laminated

components shall be per AITC architectural appearance grade. Miscellaneous solid sawn lumber for decking shall be Southern Pine graded in accordance with Southern Pine Inspections Bureau. Preservative treatment for glulam components shall consist of pressure treated laminated lumber (treated prior to gluing) with pentachlorophenol type C in accordance with AITC 109 and AWWA C28. Exterior stringers and all other glulam components shall be 0.6 pcf retention. Solid sawn decking shall be pressure treated in accordance with C2 for above ground use. Laminated lumber handrail posts shall be fastened to the exterior beam with galvanized steel carriage bolts. Handrails must be metal and meet current requirements as stated in the ADA Accessibility Guidelines (ADAAG).

Adhesives shall be wet-use (waterproof) complying with ANSI/AITC A190.1 – latest edition. Each bearing and template shall be fabricated to accommodate 1 $\frac{3}{4}$ -inch diameter anchor bolt. Anchor bolts shall be aligned longitudinally with the bridge. All steel for bearing connection plates shall be ASTM A36. Minimum yield (F_y) shall be greater than 36,000 psi. The manufacturer shall furnish all connecting steel and hardware. Decking shall be secured using stainless steel deck screws. Pre-engineered bridge manufacturer is not responsible for the template, setting plates, or anchor bolts.

6) Fabrication

Workmanship, fabrication, and shop connections shall be in accordance with the latest version of American Institute of Timber Construction and all related Interim Specifications. Bridges may be assembled at the site or at the manufacturer. At the End Bents, the bridge shall be fabricated to produce a 6-inch longitudinal distance from centerline of anchor bolts to end of beam. A 1-inch open joint shall exist between the end of the bridge and the end bent backwall.

7) Railings and Accessories

Structural bridge railings fabricated from laminated lumber shall have a smooth inside surface with no protrusions or depressions and all members, railings, corners, and ends of lumber shall be sanded smooth and edges eased. Finished railing height shall be 42 inches or higher in high hazard situations. Maximum spacing of railings shall be such that a 3 $\frac{1}{2}$ -inch sphere shall not pass between the members.

8) Finishes

All glulam materials shall receive one factory applied coat of clear penetrating sealer.

- 9) **Delivery and Erection**
Bridges or bridge components will be delivered by truck to a location nearest to the site accessible by roads. The contractor shall provide for the installation of anchor bolts to be installed. The information required to develop the template shall include the size, configuration, and spacing of the bolts as they shall be installed in the footing.
- 10) **Quality**
The bridge manufacturer shall maintain records assuring that all lumber, bolts, and materials used are in accordance with the material specified and certified by a North Carolina Professional Engineer. A copy of the records shall be provided to the owner. The bridge shall be identified and marked (on both ends) with a permanent metal nameplate showing the manufacturer's name, location, date of manufacture, maximum load carrying capacity, and inside clearance width. Structural materials shall be traceable to the bridge.
- 11) **Pre-Engineered Bridges**
The manufacturer shall have 5 years minimum experience in design and fabrication of pre-engineered pedestrian bridges. The design shall be in accordance with the American Institute of Timber Construction, AITC 117-2001, or latest edition, the total bridge dead load applied to the End Bent shall not exceed 37,000 pounds and shall be designed for a minimum wind load of 30 pounds (approximately 120 mph). The wind is calculated on the entire vertical surface of the bridge as is fully enclosed. All bridges shall be designed for seismic loads of the intensity required by local codes. Bridge camber at center of the bridge span shall be a maximum of 2.5 percent of the total bridge span. This should produce a localized deck slope of 12:1. Bridge shall be cambered to offset full dead load deflections. Bridge span shall be defined as the distance from center to center of the bearings. The bridge being designed shall have bearing elevations that are equal. Manufacturer shall provide for one deck plank at each end of the bridge to span the 1-inch gap as described below to prevent debris from falling through the gap. This deck plank shall match the decking of the bridge and shall be installed at the site after the backwall is installed.

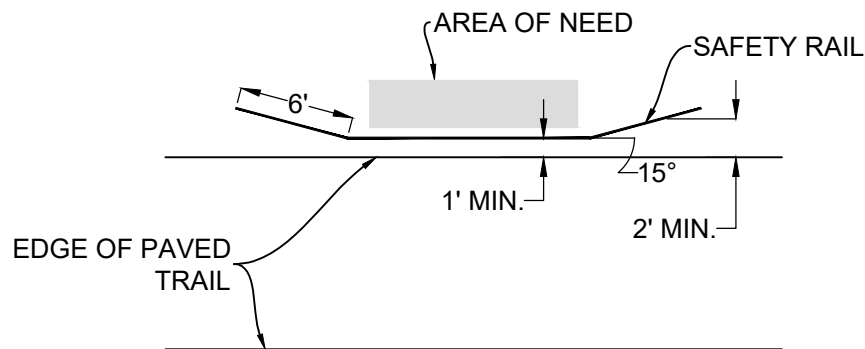
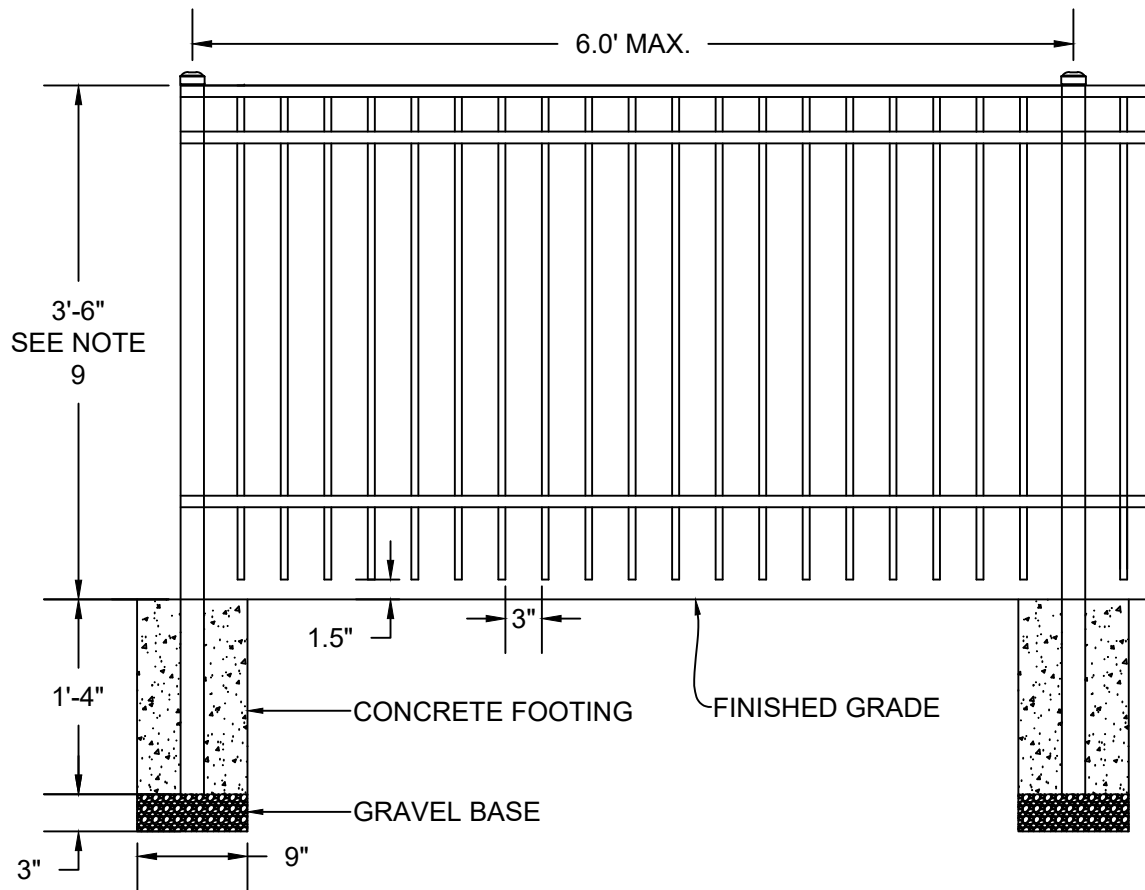
B. Underpasses, Tunnels, and Culverts

Greenway tunnels shall be 12 feet x 12 feet reinforced cast-in-place concrete structures as specified by NCDOT. Tunnels shall exhibit a 1 percent minimum longitudinal slope; 2 percent maximum cross slope. Headwalls with wing-walls are required at both ends of the tunnel.

Special consideration shall be placed on the drainage design at the entrance to the tunnel. Where necessary trench drains should be incorporated at the tunnel entrance to intercept water from pooling within the tunnel.

Contractor/applicant shall be responsible for coordinating review and approval by NCDOT (where crossing NCDOT roadways) and for obtaining any required encroachment permits prior to beginning any work.

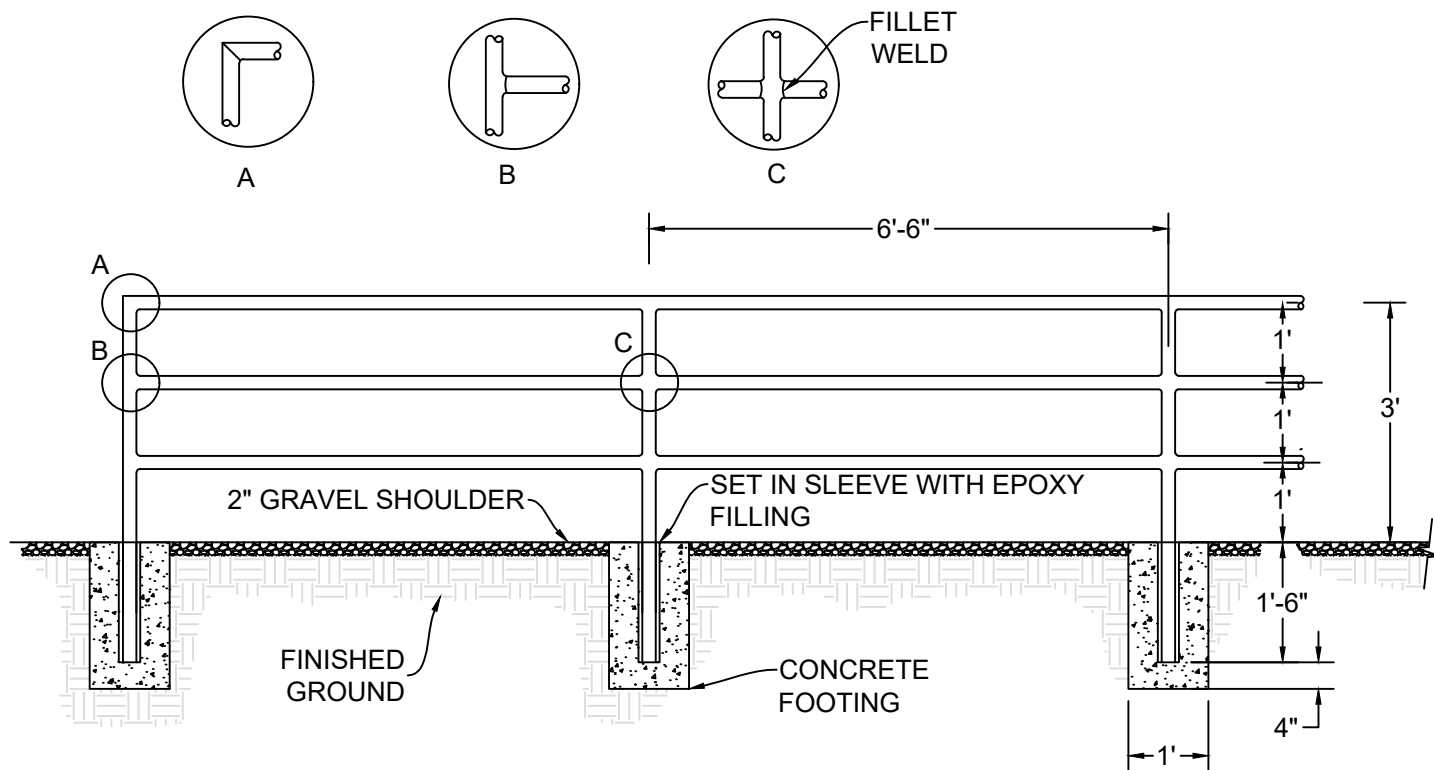
All tunnels shall be lighted. Power meter for tunnel lighting shall be located above the 100-year flood elevation and minimum 10 feet above trail surface.



METHOD OF FLARING END TREATMENTS (NOTES 10 AND 11)

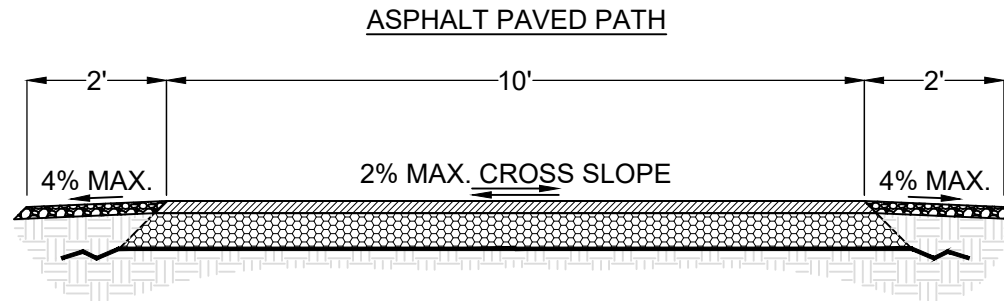
NOTES:

1. POSTS SHALL BE MINIMUM 2" SQUARE x 0.060" WALL ALUMINUM WITH INTERIOR REINFORCING WEB.
2. PICKETS SHALL BE MINIMUM 0.75" SQUARE x 0.045" WALL ALUMINUM.
3. RAILS SHALL BE MINIMUM 1" SQUARE x 0.060" WALL ALUMINUM.
4. ALUMINUM SHALL CONFORM TO ASTM B221. ALUMINUM EXTRUSIONS FOR POSTS AND RAILS SHALL BE ALLOY AND TEMPER DESIGNATION 6005-T52. ALUMINUM EXTRUSIONS FOR PICKETS SHALL BE ALLOY AND TEMPER DESIGNATION 6063-T52.
5. ALL ALUMINUM SHALL HAVE ELECTROSTATICALLY APPLIED TGIC POLYESTER POWDER COAT FINISH, BLACK COLOR, 2 MILS MINIMUM THICKNESS.
6. ALL CONCRETE SHALL BE 3600 P.S.I. COMPRESSIVE STRENGTH.
7. A PEDESTRIAN HAND RAIL MAY BE INSTALLED AT A HEIGHT OF 34 INCHES, OR A BICYCLE RUB RAIL AT A HEIGHT OF 36 INCHES ON THE SAFETY RAIL.
8. ON BRIDGES AND RETAINING WALLS ANCHOR BOLTS THAT MEET MANUFACTURER SPECIFICATIONS SHALL BE USED TO SECURE SAFETY RAIL.
9. ON BRIDGES A 4-FOOT TALL SAFETY RAIL MAY BE REQUIRED TO PREVENT CYCLISTS FROM FALLING OVER.
10. PROVIDE 2-FOOT LATERAL CLEARANCE FROM PAVED TRAIL. WHERE LESSER CLEARANCE IS NEEDED, PROVIDE FLARED END TREATMENTS.
11. WHERE HAND RAIL IS RETROFITTED, INSTALL SAFETY RAIL 1 FOOT FROM EDGE OF PAVED TRAIL WITH FLARED END TREATMENTS BEYOND THE AREA OF NEED.

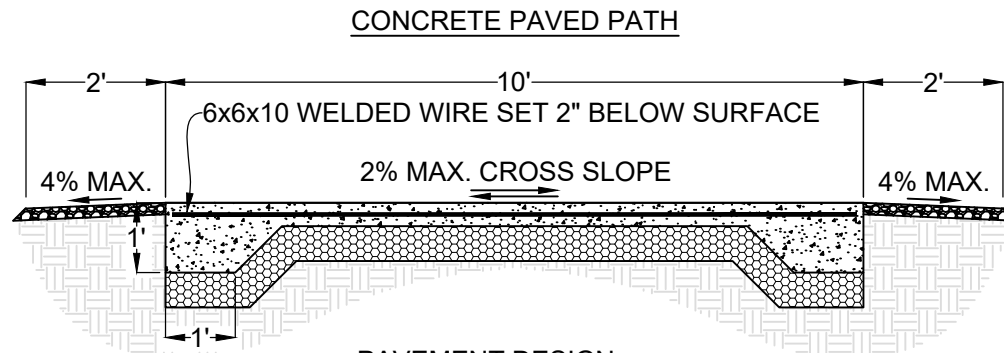


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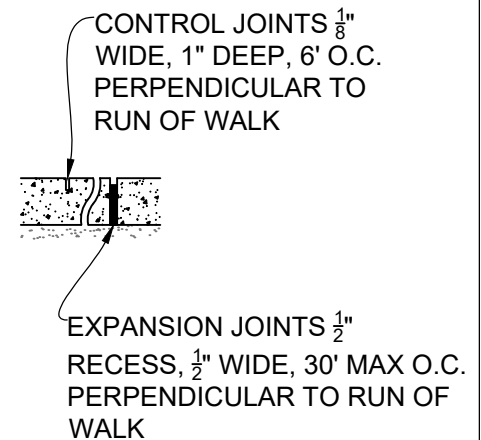
1. METAL HAND RAIL SHALL BE INSTALLED 1 FOOT FROM THE EDGE OF PAVED TRAIL ON CENTER.
2. PROVIDE FLARED END RAIL TREATMENTS AT 15 DEGREES AWAY FROM THE TRAIL BEYOND THE AREA OF NEED. FLARED END TREATMENTS SHALL EXTEND TWO FEET MINIMUM FROM THE EDGE OF TRAIL.
3. THE TOP RAIL SHALL BE INSTALLED AT A HEIGHT OF 3 FEET FROM THE FINISHED GROUND.
4. ALL CONCRETE FOOTINGS FOR HAND RAIL SHALL MEET 3,600 PSI COMPRESSIVE STRENGTH.
5. ALL HAND RAIL METAL JOINTS SHALL HAVE A $\frac{1}{2}$ INCH WIDE FILLET WELD.
6. PRIME AND PAINT METAL HAND RAIL WITH BLACK ALL WEATHER ENAMEL PAINT AFTER INSTALLATION.



PAVEMENT DESIGN:
 2" ASPHALT CONCRETE SURFACE COURSE
 6" AGGREGATE BASE COURSE
 WOVEN GEOTEXTILE FABRIC
 2" GRANITE SCREENING SHOULDER

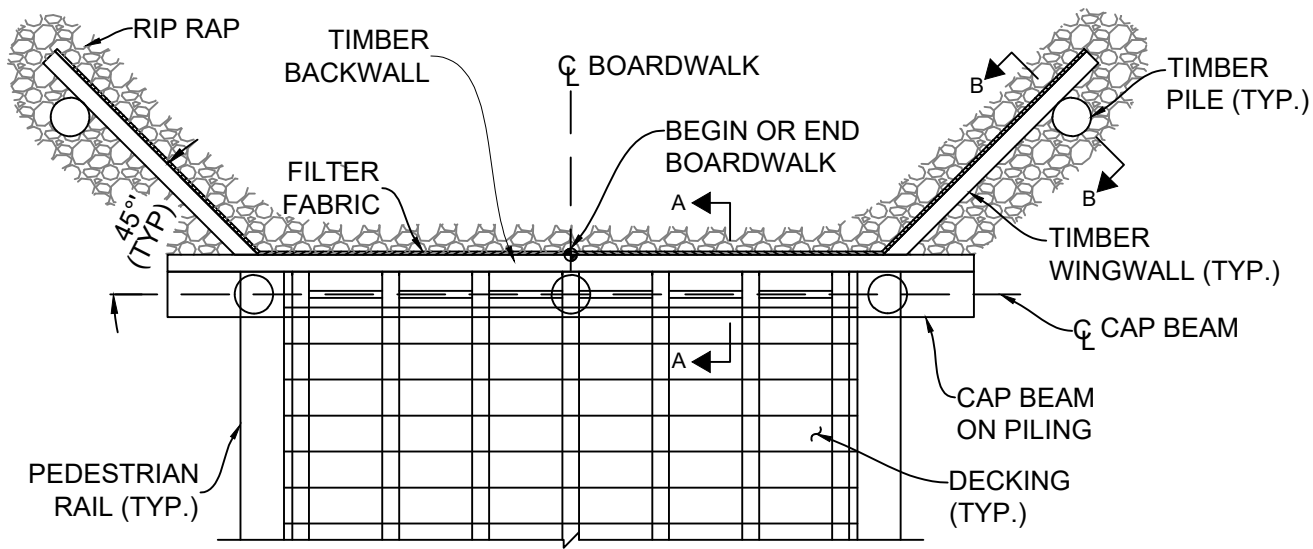


PAVEMENT DESIGN:
 4" CONCRETE
 6" AGGREGATE BASE COURSE
 2" GRANITE SCREENING SHOULDER

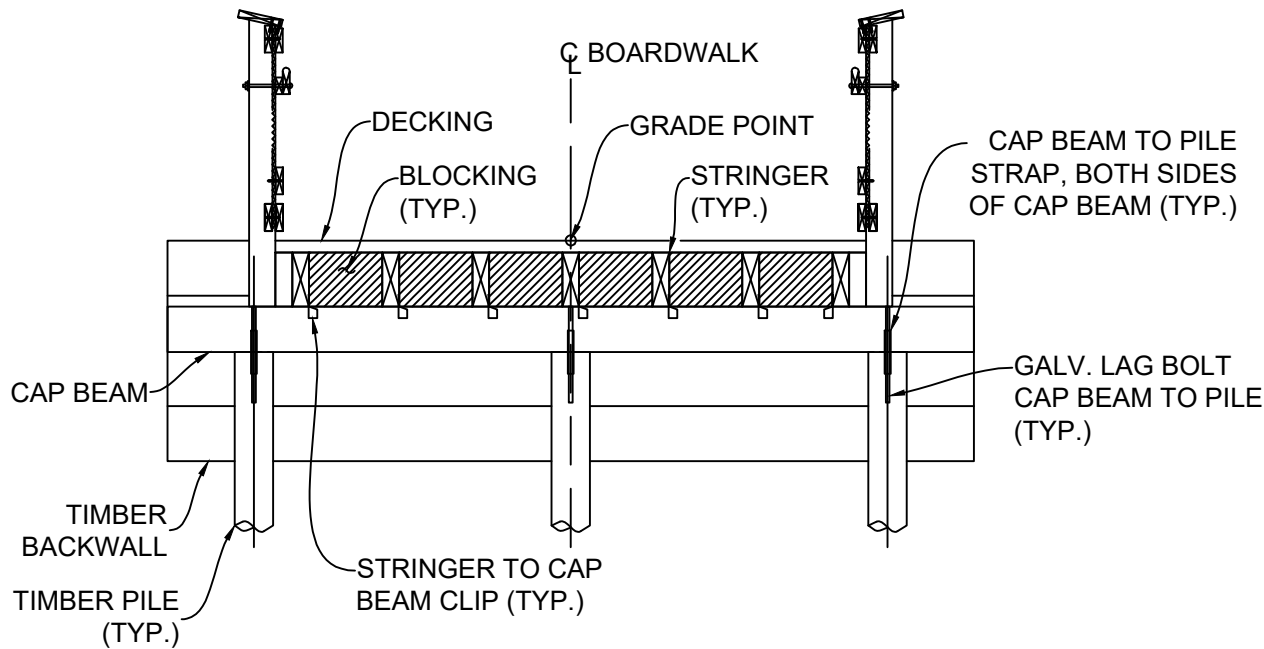


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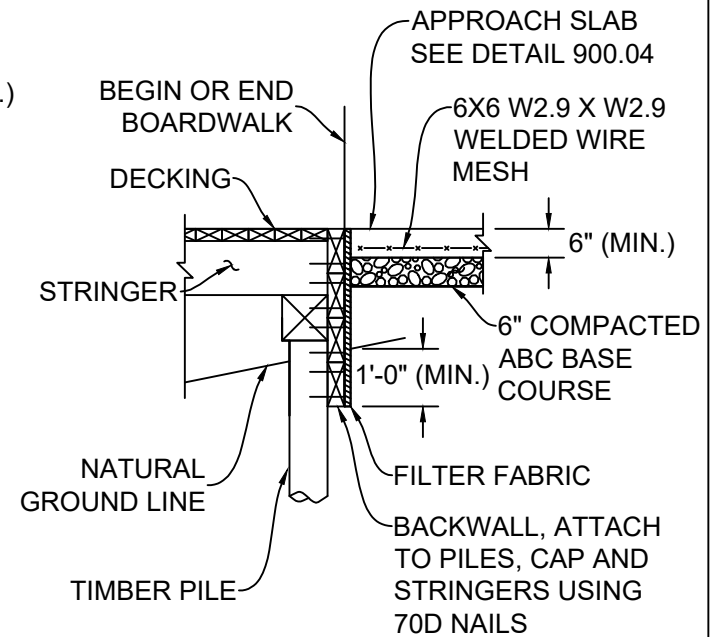
1. ALL LOCATION & SIZES OF DRAIN PIPE TO BE VERIFIED AND APPROVED BY THE TOWN OF APEX ENGINEER.
2. SUBGRADE SHALL BE STABLE AND COMPACTED.
3. IN LOW LYING AREAS PRONE TO FLOODING, A 4-INCH DEEP GRAVEL SHOULDER MAY BE USED SUBJECT TO REVIEW AND APPROVAL.



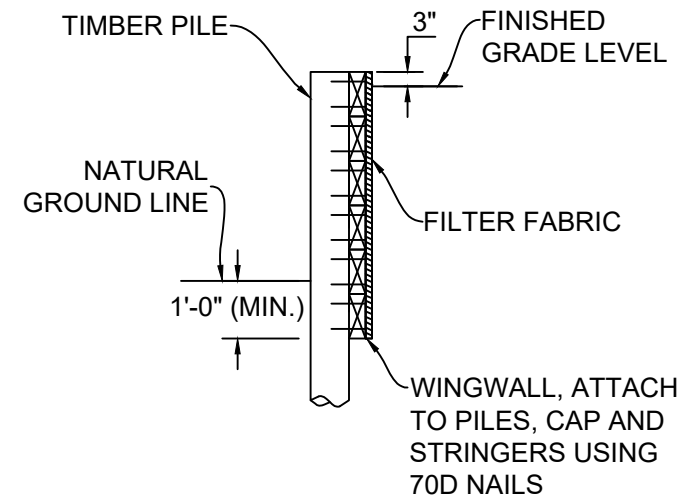
END BENT PLAN (TOP VIEW)



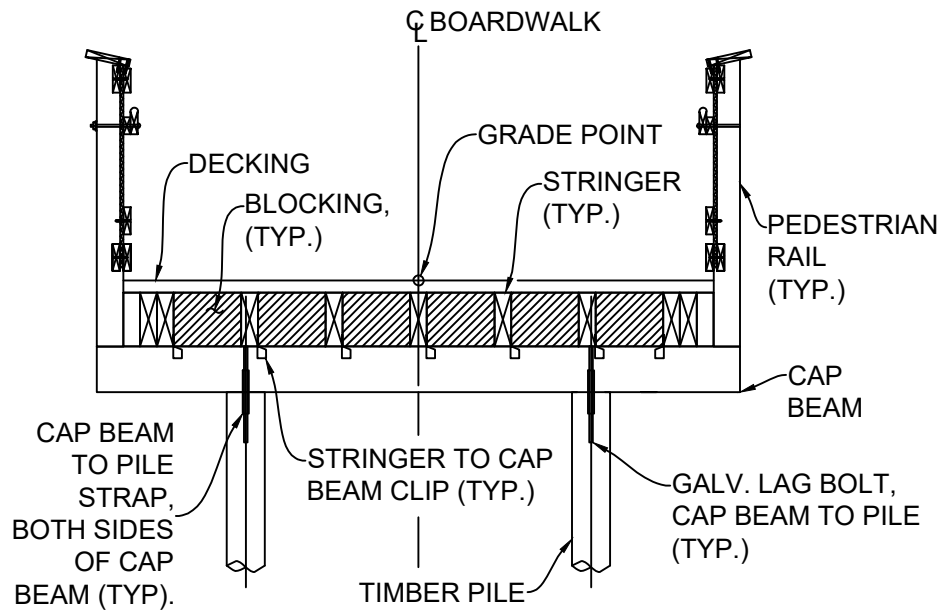
END BENT ELEVATION



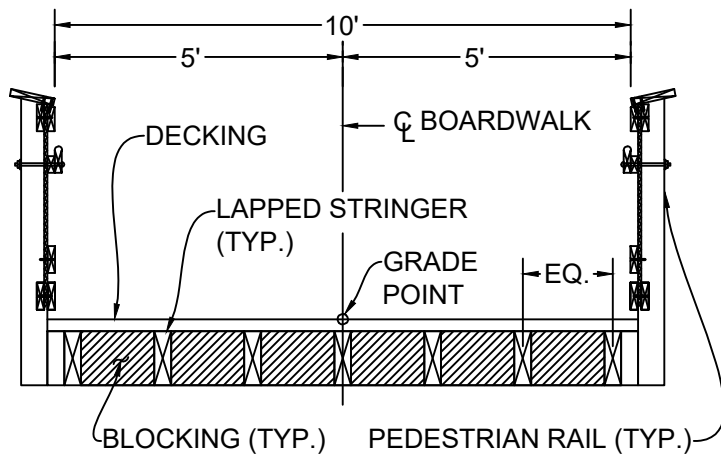
SECTION A-A



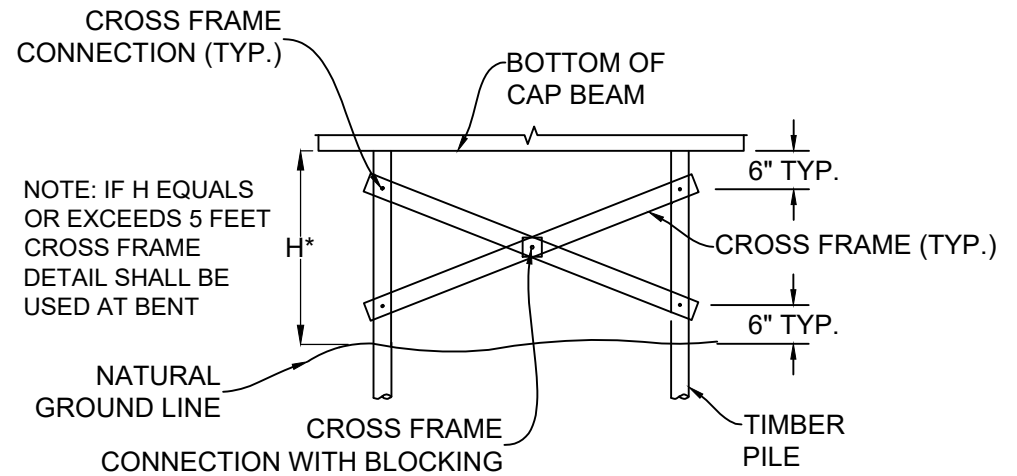
SECTION B-B



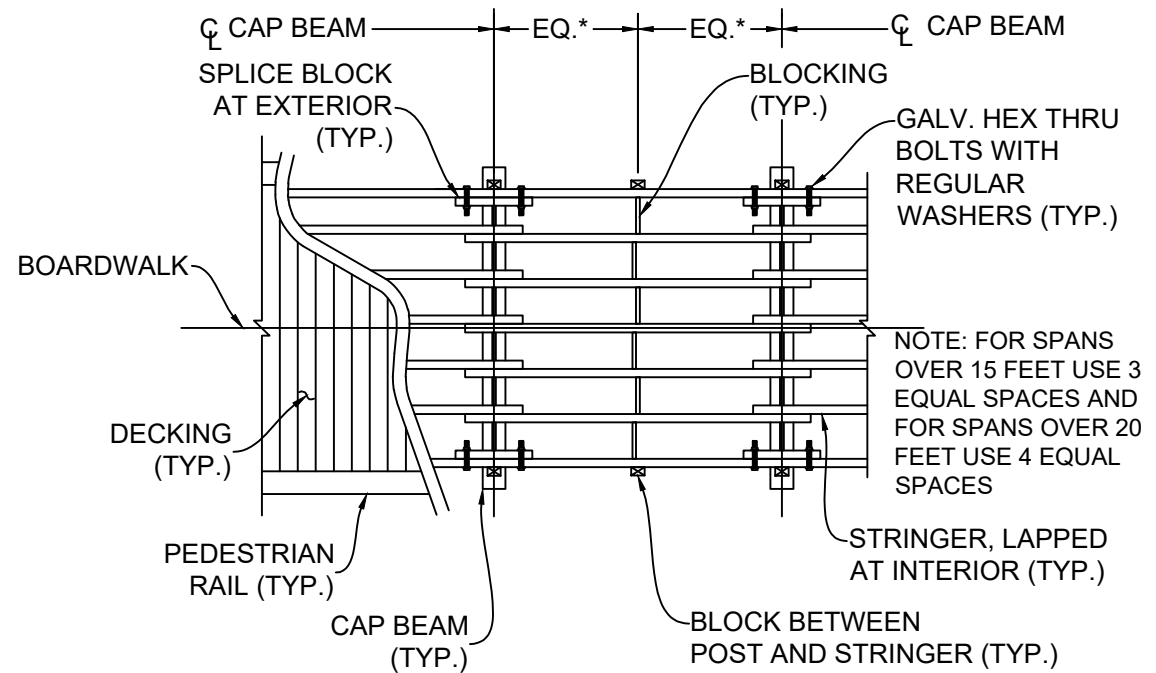
TIMBER BOARDWALK BENT ELEVATION



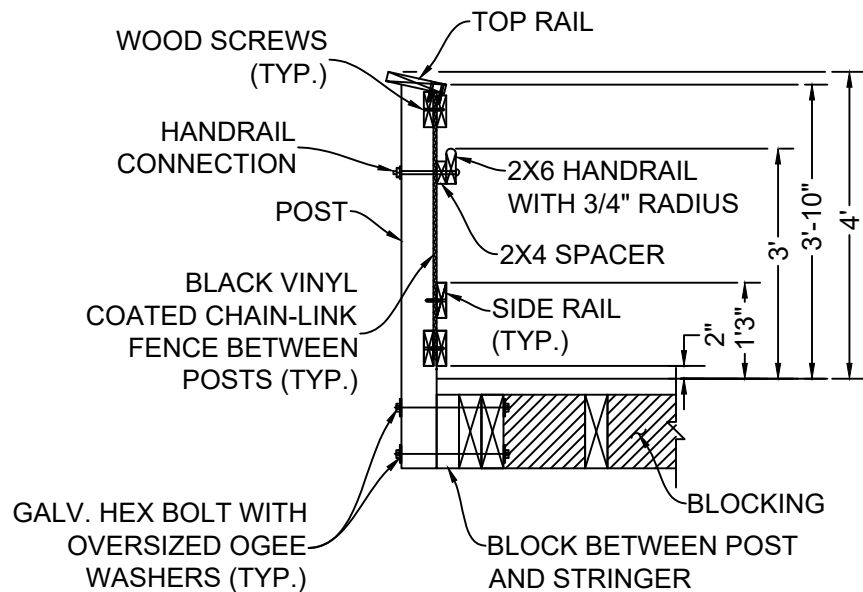
TYPICAL SECTION THROUGH MIDSPAN



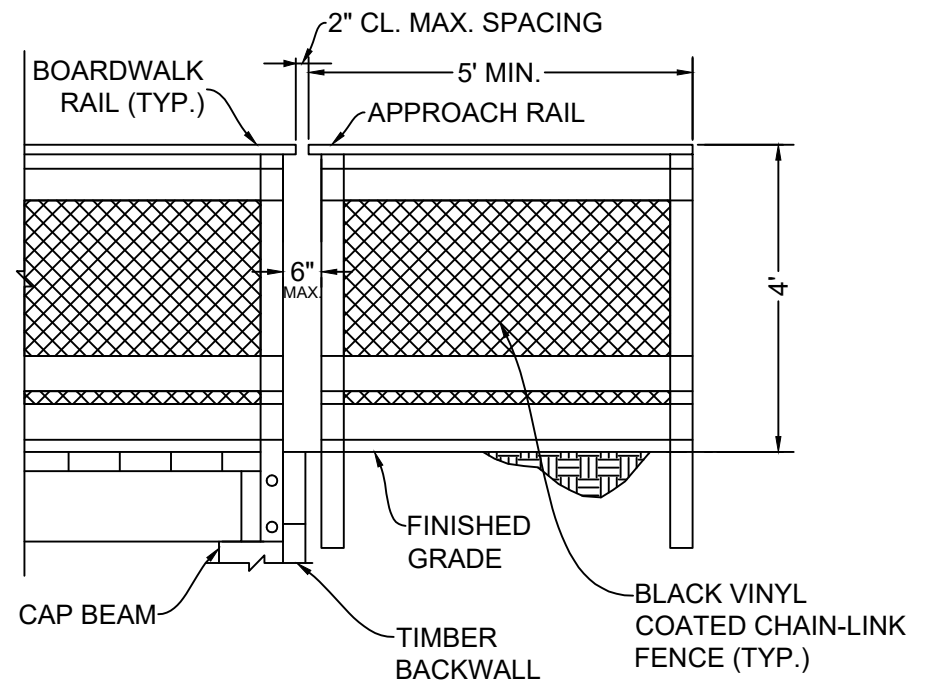
CROSS FRAME DETAIL



TIMBER BOARDWALK DECK FRAMING PLAN (10 FT SPAN TYP.)



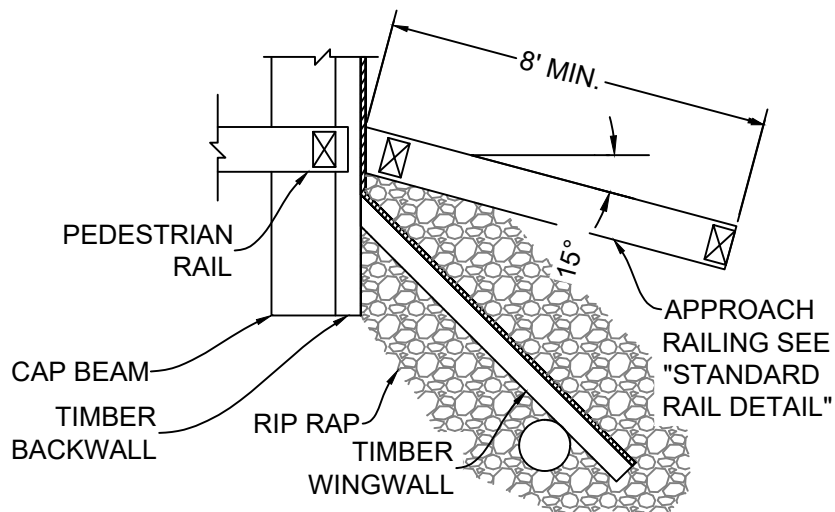
PEDESTRIAN RAIL DETAIL



STANDARD RAIL DETAIL

NOTES:

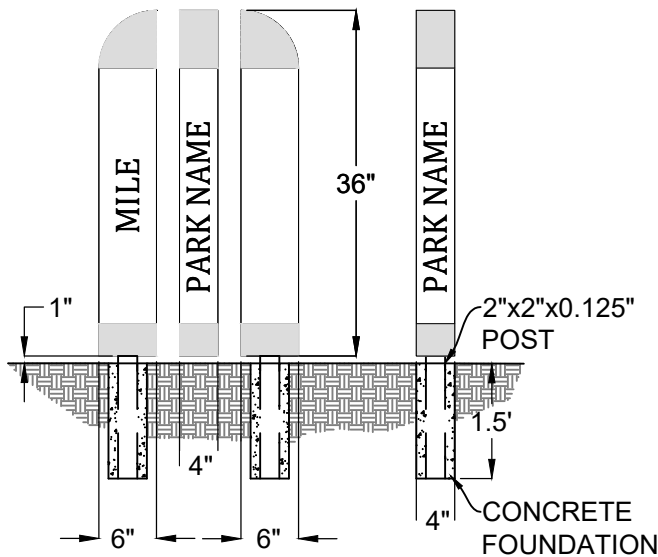
1. ALL FENCE MATERIAL SHALL MEET THE REQUIREMENTS OF SECTION 1050 OF THE NCDOT STANDARD SPECIFICATIONS.
2. GALVANIZE ALL STEEL PARTS AND HARDWARE IN ACCORDANCE WITH ARTICLE 1079 OF THE NCDOT STANDARD SPECIFICATIONS.
3. ALL CHAIN LINK FENCE FABRIC, POSTS, RAILS, FITTING HARDWARE, AND ACCESSORIES SHALL BE BLACK VINYL COATED IN ACCORDANCE WITH ARTICLE 1050 OF THE NCDOT STANDARD SPECIFICATIONS.
4. PROVIDE A MINIMUM OF 2 FEET OF RIP RAP AROUND THE TIMBER WINGWALL TO PREVENT WASHOUT OF EARTH MATERIALS.
5. APPROACH RAIL TO BOARDWALKS SHALL BE A MINIMUM OF 8 FEET IN LENGTH, FLARED TO PROVIDE A 2-FOOT LATERAL OFFSET.



TYPICAL APPROACH RAIL PLAN (TOP VIEW)

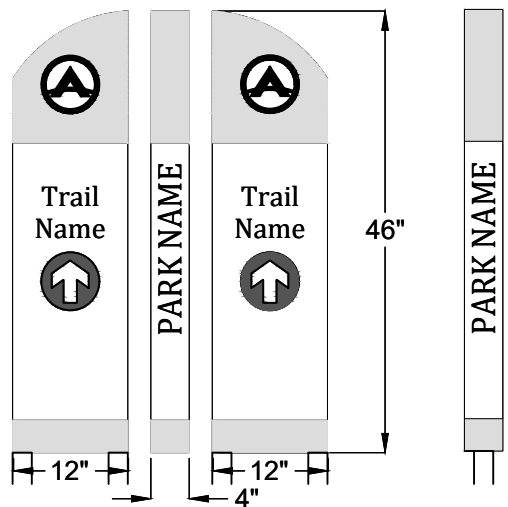
WAYFINDING

MILEAGE
36" x 6" x 4"



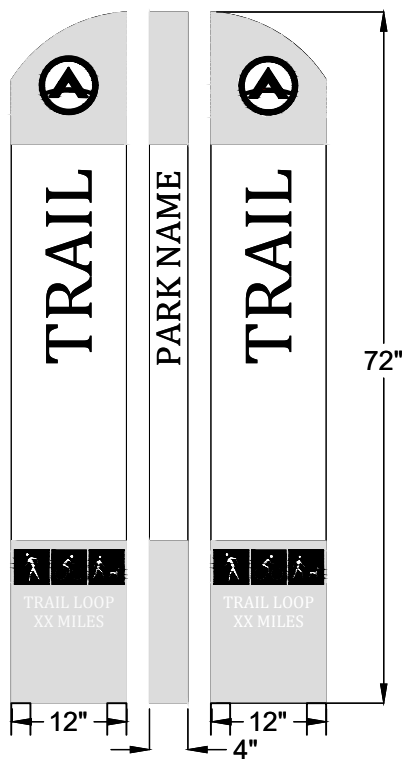
SINGLE-SIDED
MILEAGE NUMBER: TBD

DIRECTIONAL
46" x 12" x 4"



LOCATE AT STREET/SIDEWALK
DOUBLE-SIDED
ARROW DIRECTION: TBD

ID SIGN
72" x 12" x 4"



LOCATED AT TRAIL START
DOUBLE-SIDED
LOOP REFERENCE: TBD

NOTES:

1. WAYFINDING SIGNAGE SHALL BE MOUNTED ON A 1" X 4" X 0.125" ALUMINUM C-CHANNEL FRAME.
2. SIGN FACES SHALL BE 0.080" MILL FINISHED (MF) ALUMINUM EPOXIED TO THE FRAME.
3. THE EXTERIOR OF THE SIGN SHALL HAVE A MINIMUM OF TWO 1/4" DRAIN HOLES ALONG THE BOTTOM KEPT FREE OF DEBRIS.
4. MILEAGE SIGNS SHALL BE MOUNTED ON A SINGLE STUB MOUNT. DIRECTIONAL AND ID SIGNS SHALL BE MOUNTED ON A DOUBLE STUB MOUNT WITH 2" X 2" X 0.125" ALUMINUM TUBE POSTS. A VERTICAL CLEARANCE OF ONE (1) INCH SHALL BE MAINTAINED BETWEEN THE BOTTOM OF THE SIGN AND GROUND SURFACE. POSTS SHALL BE DRIVEN MINIMUM 18 INCHES INTO THE GROUND AND ENCASED IN CONCRETE.
5. THE COLOR SCHEME OF SIGN FACES SHALL BE WHITE SATIN AND GREEN (PMS 7743 C SATIN). THE CUT AND PRINTED VINYL SHALL BE BLACK AND WHITE.

TOWN OF APEX
STANDARDS

EFFECTIVE: JANUARY 12, 2021

GREENWAY SIGNAGE

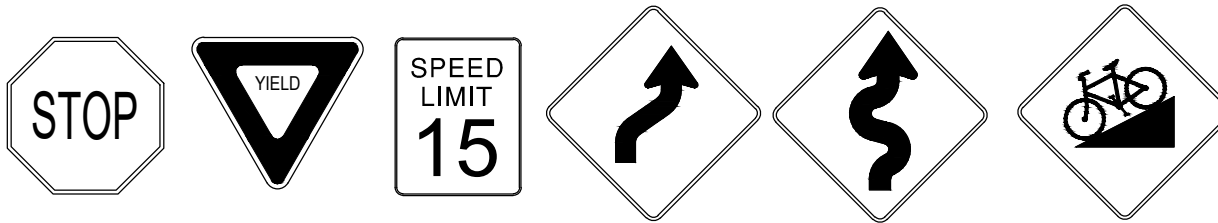
- Page 232 -

STD. NO.

900.03

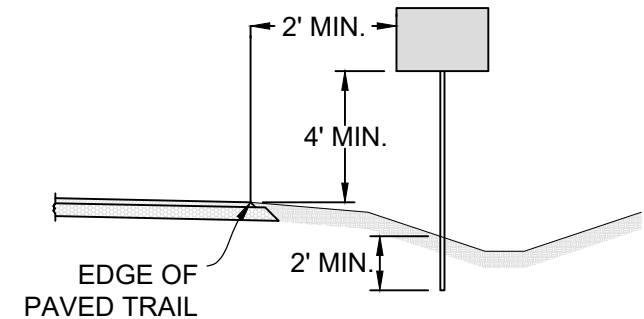
SHEET 1 OF 2

TYPICAL GREENWAY REGULATORY AND WARNING SIGNAGE



SIGN TYPE	SIGN SIZE
R1-1 (STOP)	18" x 18"
R1-2 (YIELD)	18" x 18" x 18"
R2-1 (SPEED LIMIT)	18" x 18"
W1-4 (CURVE WARNING)	18" x 18"
W1-5 (CURVES WARNING)	18" x 18"
W7-5 (SLOPE/HILL WARNING)	18" x 18"

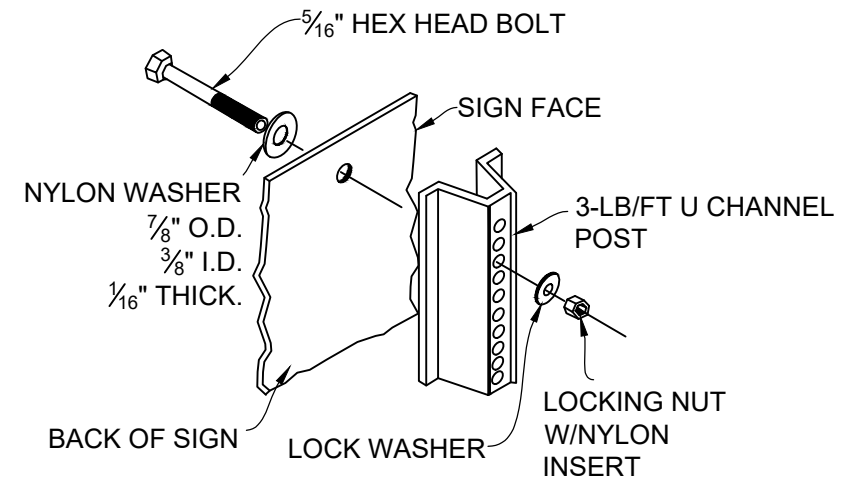
* FOR OTHER TYPES OF SIGNAGE CONSULT THE MUTCD



SIGN PLACEMENT

NOTES:

1. SHEETING MATERIAL FOR ALL SIGNS SHALL BE HIGH INTENSITY PRISMATIC (HIP) TYPE IV MULTI-LAYER SHEETING.
2. A STOP SIGN SHALL BE INSTALLED WHENEVER A PUBLIC GREENWAY INTERSECTS A ROADWAY (EXCEPT FOR STREET-SIDE GREENWAYS), AND SHALL BE INSTALLED FOR PRIVATE GREENWAYS AS INDICATED ON PLANS.
3. A YIELD SIGN SHALL BE INSTALLED ON THE MINOR APPROACHES AT CROSSINGS OF TWO GREENWAYS, OR WHERE INDICATED ON THE PLANS.
4. STEEP SLOPE/HILL WARNING SIGNAGE SHALL BE INSTALLED AT A MINIMUM DISTANCE OF 50 FEET APPROACHING DOWNHILL SLOPES THAT EXCEED 5 PERCENT.
5. CURVE WARNING (W1-4) SIGNAGE SHALL BE INSTALLED AT A MINIMUM DISTANCE OF 50 FEET APPROACHING HORIZONTAL CURVES WITH A RADIUS OF LESS THAN 50 FEET. MULTIPLE CURVES (W1-5) SIGNAGE SHALL BE INSTALLED WHERE A COMBINATION OF SLOPE EXCEEDS 5 PERCENT AND HORIZONTAL CENTERLINE CURVE RADIUS IS LESS THAN 50 FEET.
6. REFER TO MUTCD FOR ALL OTHER GUIDANCE.



SIGN MOUNTING DETAIL

TOWN OF APEX
STANDARDS

EFFECTIVE: JANUARY 12, 2021

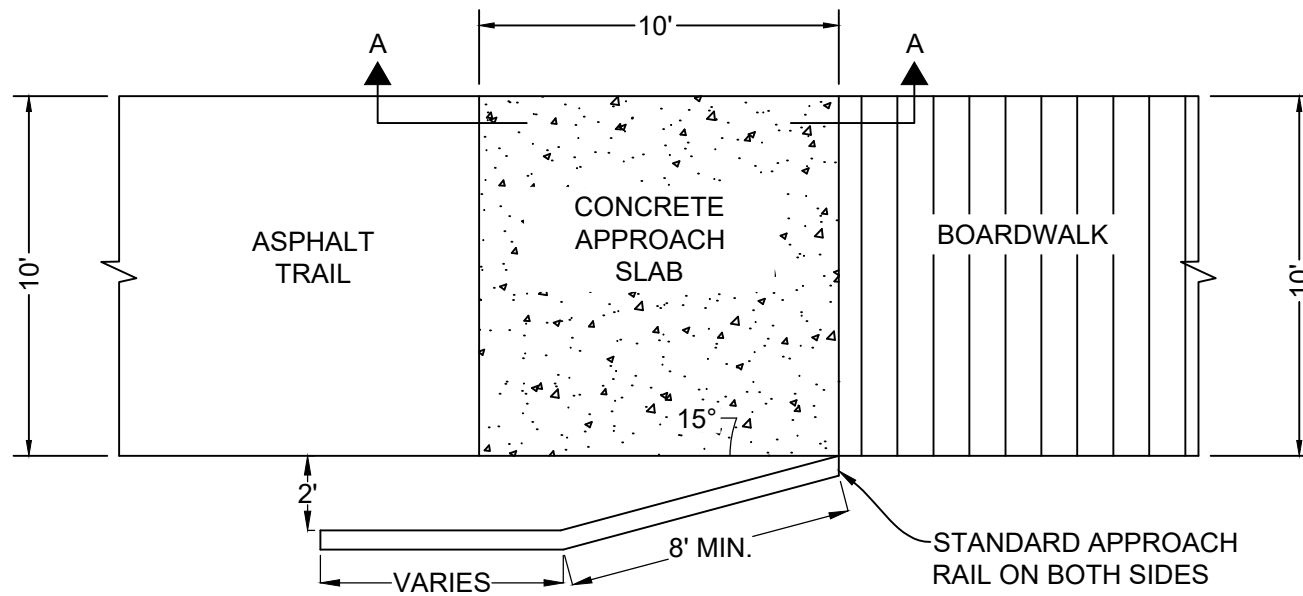
GREENWAY SIGNAGE

- Page 233 -

STD. NO.

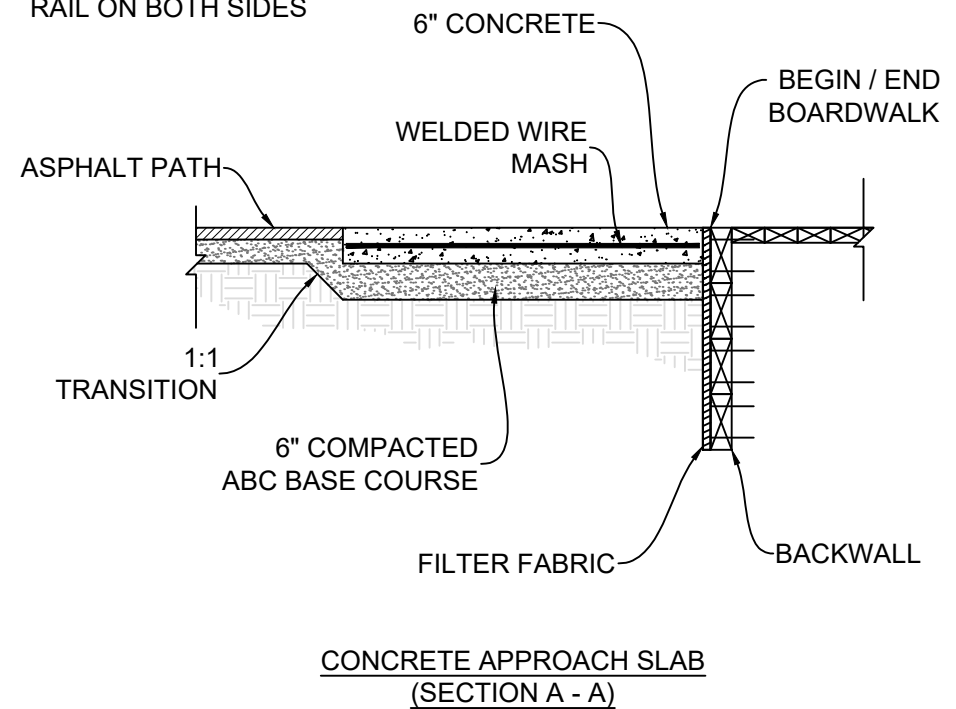
900.03

SHEET 2 OF 2



NOTES:

1. APPROACH SLAB SHALL BE 6-INCH THICK CONCRETE PAVEMENT (4,000 PSI OR GREATER) WITH A 6-INCH X 6-INCH WELDED WIRE MESH PLACED 3 INCHES FROM THE BOTTOM OF THE CONCRETE SLAB.
2. THE LENGTH OF THE STANDARD APPROACH RAIL SHALL VARY DEPENDING ON SITE CONDITIONS.
3. WHERE SITE CONDITIONS REQUIRE SAFETY RAIL ON THE APPROACHING TRAIL, TIE STANDARD APPROACH RAIL TO SAFETY RAIL AT THE END OF THE FLARED TRANSITION.



CONCRETE APPROACH SLAB

**TOWN OF APEX
STANDARDS**

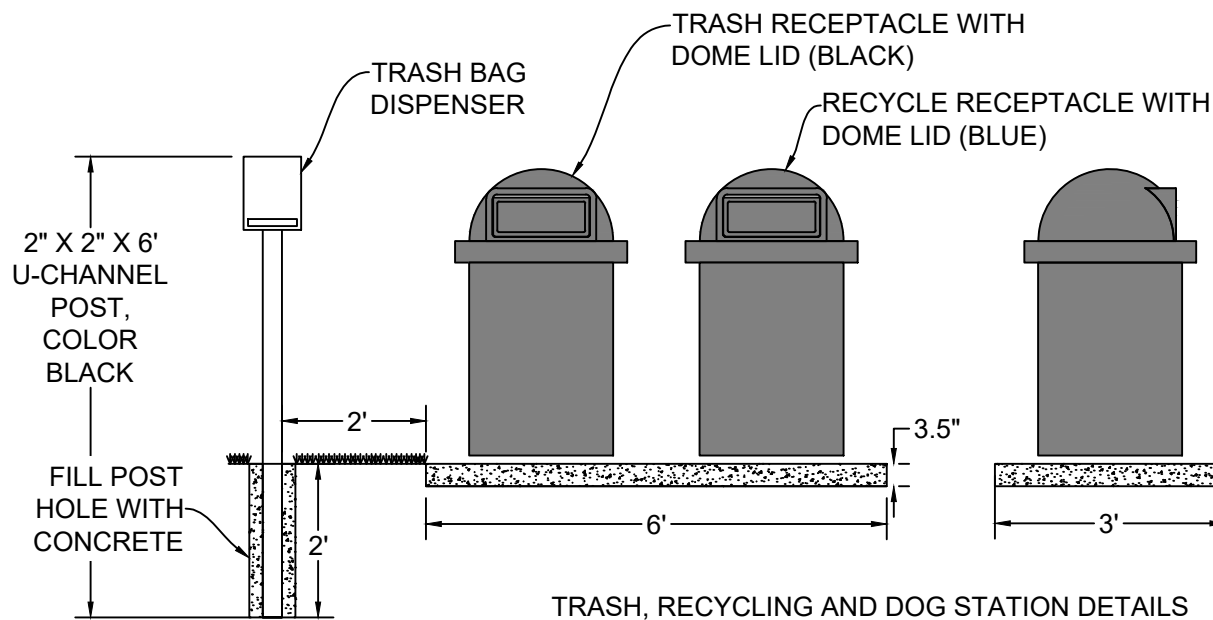
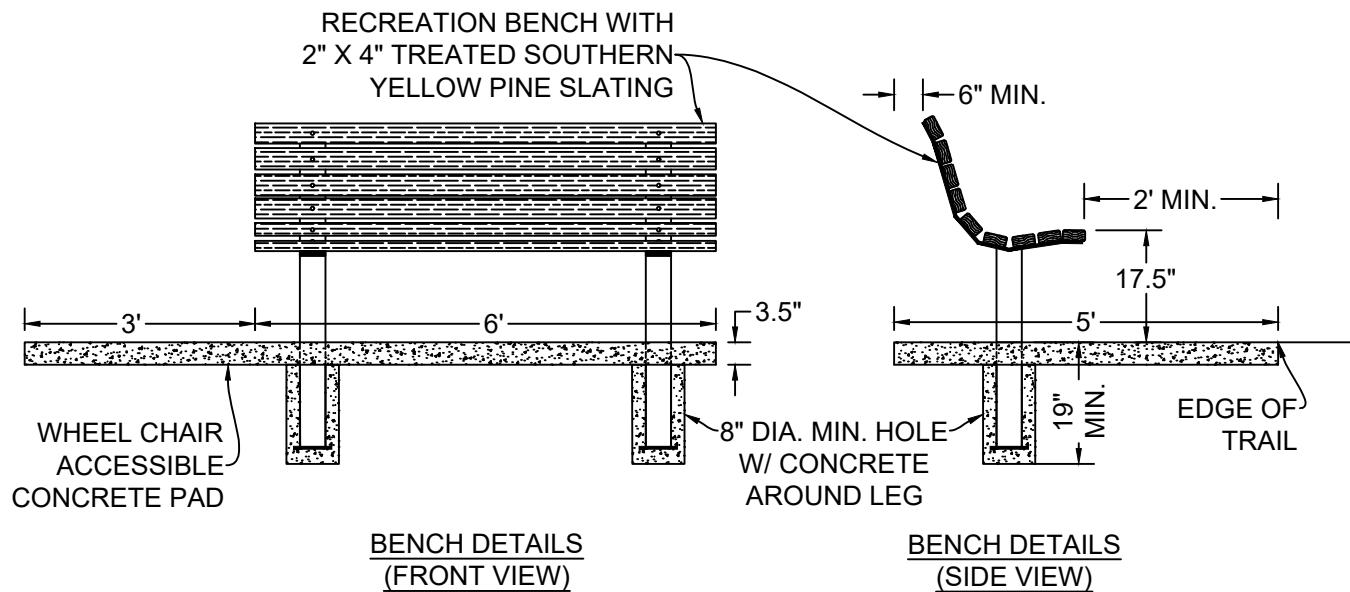
EFFECTIVE: JANUARY 12, 2021

- Page 234 -

STD. NO.

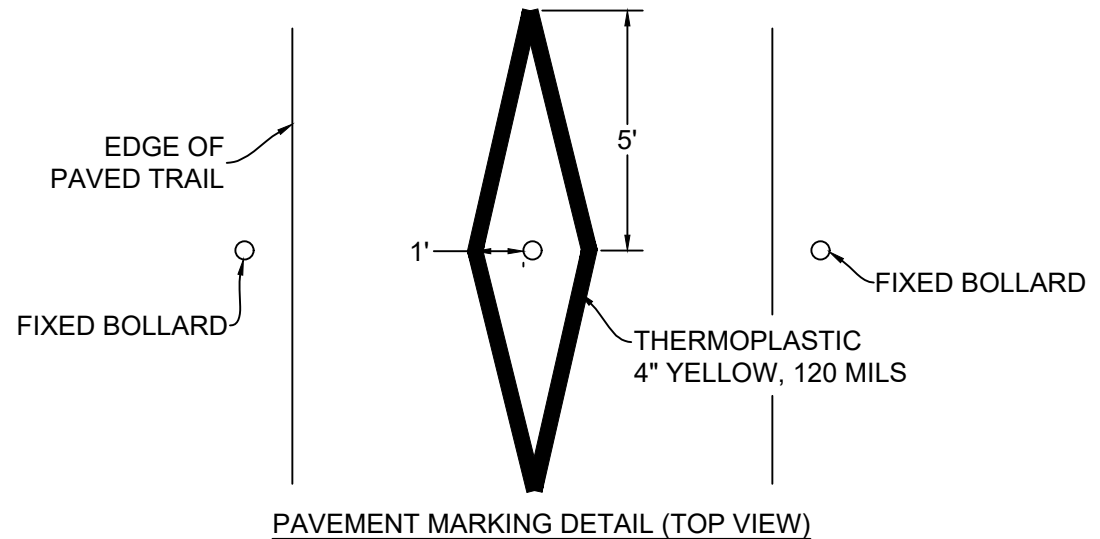
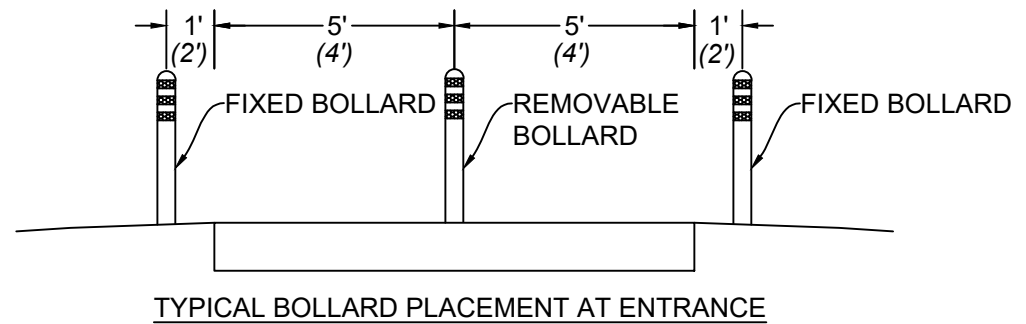
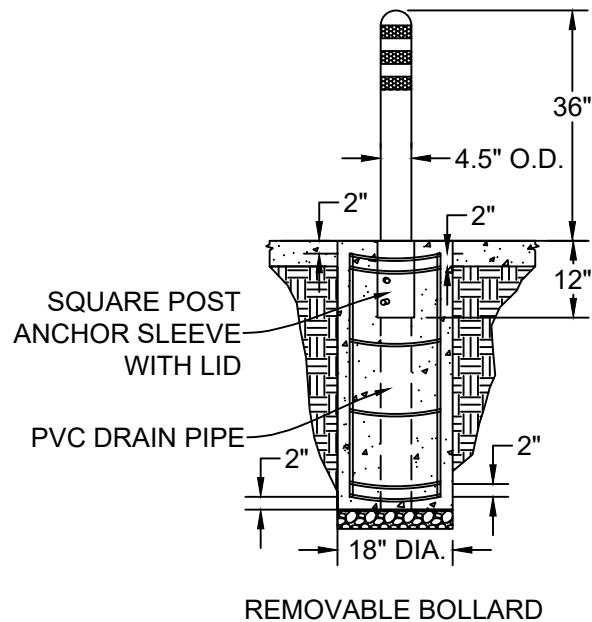
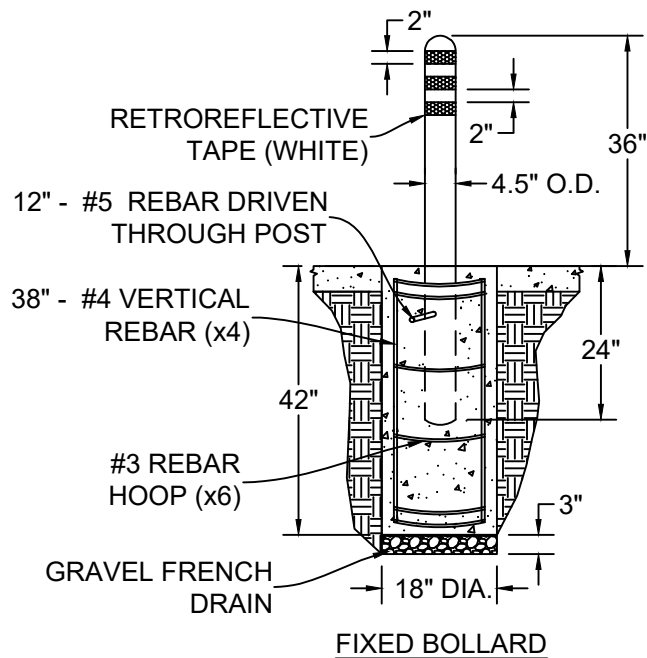
900.04

SHEET 1 OF 1



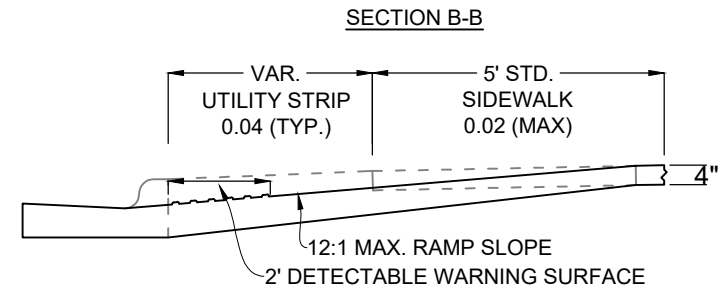
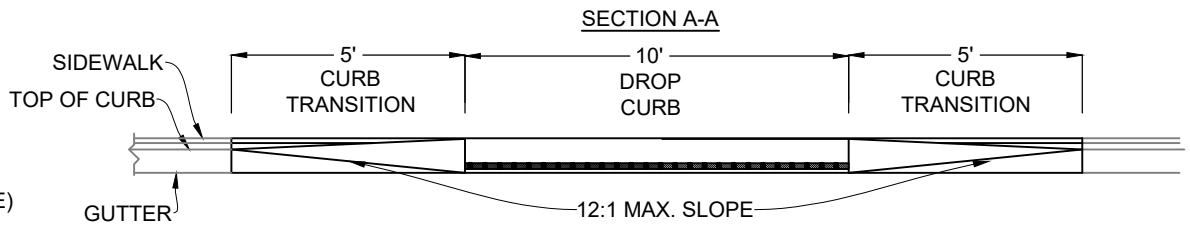
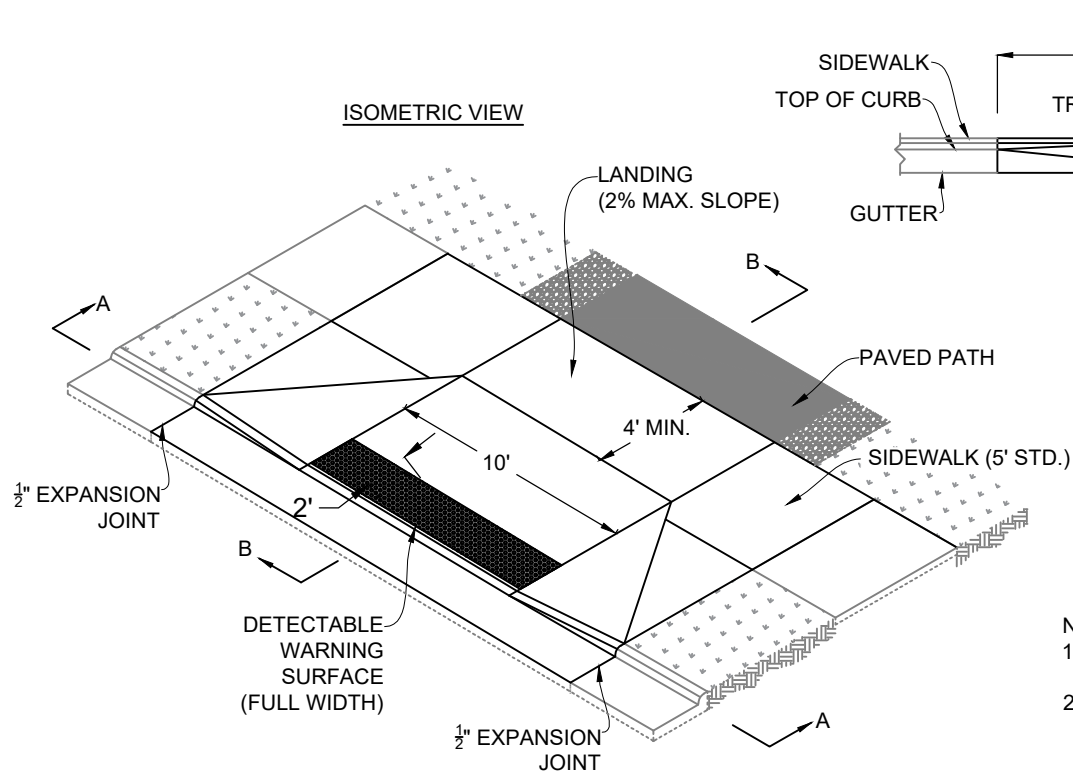
NOTES:

1. BENCHES SHALL BE KAY PARK RECREATION MODEL NO 6CB2SYPIG OR EQUIVALENT.
2. BENCHES TO BE INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND DETAILS.
3. BENCHES SHALL BE MOUNTED IN CONCRETE AND PAD POURED AFTER BENCHES ARE SECURED.
4. TRASH RECEPTACLE SHALL BE OCC OUTDOORS REC-S8331A-00-092 (BLACK) WITH DOME LID AND PUSH DOOR (BLACK) OR EQUIVALENT.
5. RECYCLING RECEPTACLE SHALL BE OCC OUTDOORS REC-S8331A-00-055 (BLUE) WITH DOME LID AND PUSH DOOR (BLUE) OR EQUIVALENT.
6. DOG STATION SHALL BE CROWN PRODUCTS REGAL PET WASTE STATION, ID NO. PP-H-KIT-WP, COLOR HUNTER GREEN, OR EQUIVALENT.
7. DOG STATION, TRASH AND RECYCLE RECEPTACLES TO BE INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND DETAILS.



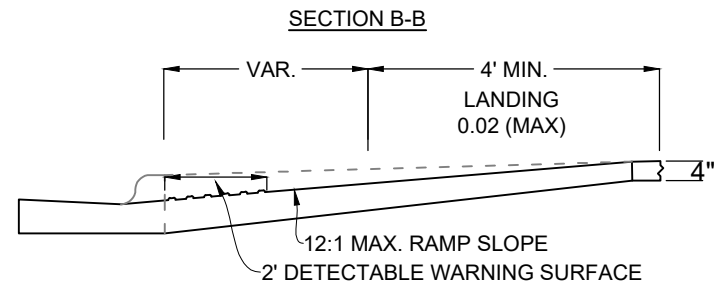
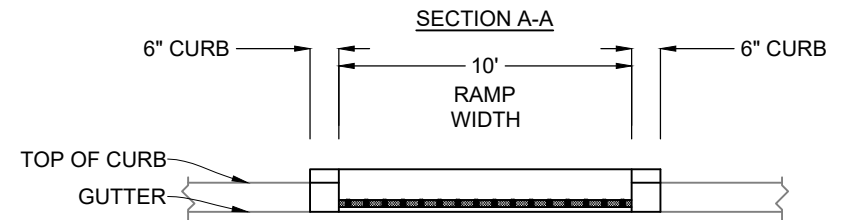
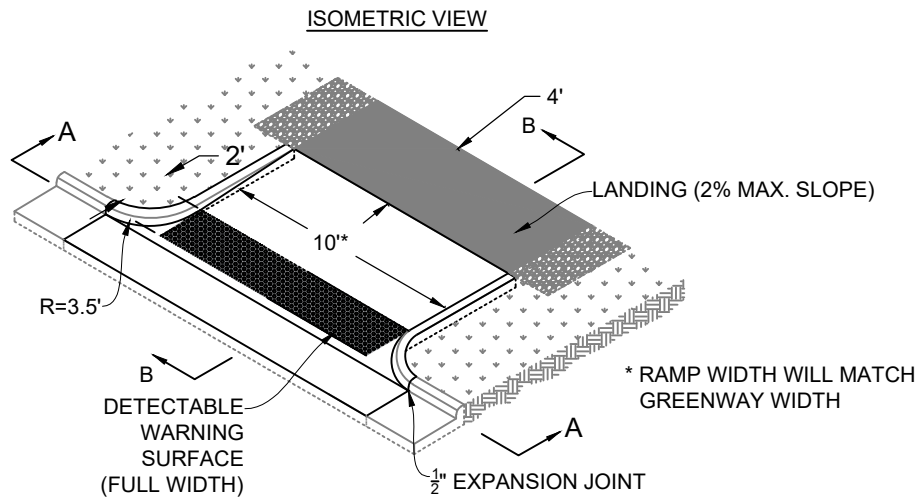
NOTES:

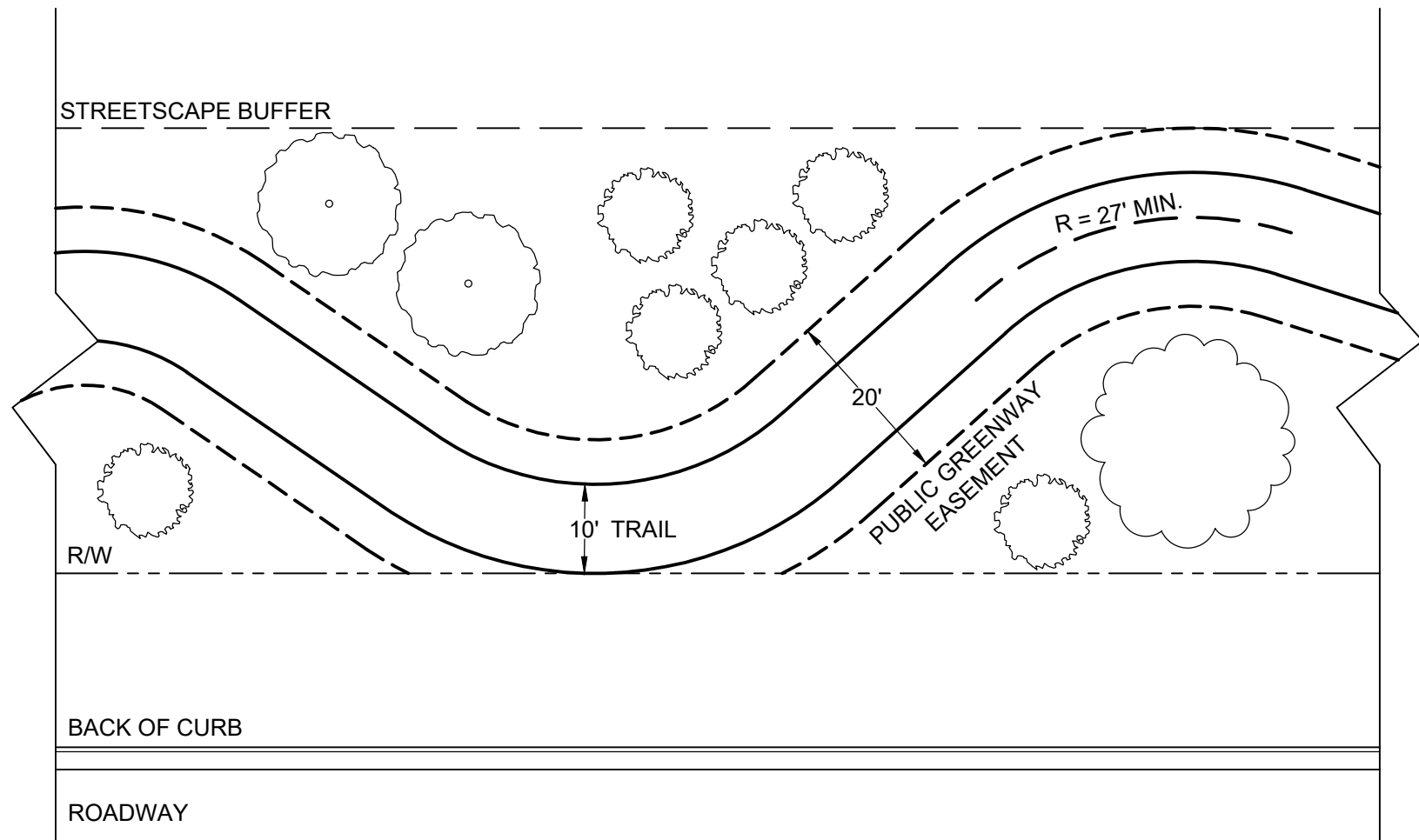
1. FIXED BOLLARDS SHALL BE TRAFFICGUARD RFP SERIES, AND REMOVABLE BOLLARDS SHALL BE TRAFFICGUARD RP3500 SERIES, OR APPROVED EQUAL. BOLLARDS SHALL BE FINISHED WITH POWDER COATED BLACK PAINT.
2. BOLLARDS AND SIGNS SHALL BE INSTALLED PER MANUFACTURER DETAILS AND SPECIFICATIONS.
3. CONCRETE FOUNDATIONS SHALL BE CONSTRUCTED TO WITHSTAND 6,000 LBS OF STATIC LOAD AT 27 INCHES ABOVE GRADE PER MANUFACTURER SPECIFICATIONS.
4. BOLLARDS SHALL BE INSTALLED OUTSIDE THE CLEAR ZONE WHEN ADJACENT TO ROADWAY. BOLLARDS SHALL BE INSTALLED MINIMUM 10 FEET FROM THE BACK OF CURB RAMP WHEN APPLICABLE.
5. PROVIDE A 2-FOOT SEPARATION BETWEEN TRAIL AND BOLLARDS WHEN TRAIL IS 8 FEET IN WIDTH.
6. FIXED BOLLARDS SHALL NOT BE REQUIRED WHEN MOTOR VEHICLE ACCESS IS BLOCKED BY PEDESTRIAN RAILING OR FENCING.



NOTES:

1. RAMPS SHALL BE CONSTRUCTED OF CONCRETE MEETING A MINIMUM COMPRESSION STRENGTH OF 3,000 PSI.
2. DETECTABLE WARNING DOMES WILL CONTRAST VISIBILITY WITH ADJOINING SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT SEQUENCE.





NOTES:

1. STREET-SIDE GREENWAYS SHALL BE LOCATED OUTSIDE THE RIGHT-OF-WAY WHERE PRACTICAL.
2. STREET-SIDE GREENWAYS MAY BE LOCATED WITHIN THE ROADWAY BUFFER.
3. A MINIMUM SEPARATION OF FIVE FEET SHALL BE MAINTAINED FROM THE BACK OF CURB IN CONSTRAINED LOCATIONS.
4. STREET-SIDE GREENWAYS SHOULD MEANDER WHERE PRACTICAL GIVEN PHYSICAL BARRIERS AND TOPOGRAPHICAL CONSTRAINTS.
5. PRIVATE UTILITIES, IRRIGATION INFRASTRUCTURE, LANDSCAPING, FENCES, SIGNS, MONUMENTS, OR ASSOCIATED EASEMENTS SHALL NOT BE ALLOWED WITHIN THE PUBLIC STREET-SIDE GREENWAY EASEMENT.
6. PUBLIC UTILITIES WITHIN THE PUBLIC STREET-SIDE GREENWAY EASEMENT MAY BE ALLOWED UPON APPROVAL OF TOWN STAFF.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: January 12, 2021

Item Details

Presenter(s): Michael Deaton, Water Resources Director

Department(s): Water Resources

Requested Motion

Motion to approve Resolution to Abandon Existing Water and Sewer Utility Easements and Temporary Construction Easements as shown on the attached Utility Easement Abandonment Plat for Holleman Hills Subdivision.

Approval Recommended?

Yes

Item Details

As part of the construction of the Holloman Hills subdivision, the infrastructure within the water and sewer easements has been removed and rerouted within the site. These easements are no longer needed to provide service throughout the site.

Attachments

- Resolution to Abandon Easements
- Exhibit A – Utility Easement Abandonment Plat



**A Resolution to Abandon Existing Water and Sewer Utility
Easements and Temporary Construction Easements**

WHEREAS, the Town of Apex presently has water and sewer utility easement interests and temporary construction easement interests as shown in Deed Book 15436 Page 046, and Deed Book 15414 Page 1903, and as shown on the survey attached hereto as Exhibit A;

WHEREAS, the developer desires the Town to abandon portions of a water utility easement, a sewer utility easement, and temporary constructions easements as shown and identified by markings defined in the legend on that certain plat entitled "UTILITY EASEMENT ABANDONMENT PLAT FOR HOLLEMAN HILLS SUBDIVISION," dated 1/5/2021 attached hereto as Exhibit A (the "Abandonment Plat").

WHEREAS, the developer desires the Town abandon a water utility easement as shown on the Abandonment Plat as "PORTION OF TOWN OF APEX WATER UTILITY EASEMENT DB 15436, PH 463, HEREBY ABANDONED 6415 SF";

WHEREAS, the developer desires the Town to abandon a sewer utility easement as shown on the Abandonment Plat as "TOWN OF APEX SEWER UTILITY EASEMENT DB 15436 PG 463 HEREBY ABANDONED 3765 SF";

WHEREAS, the developer desires the Town to abandon a temporary construction easement as shown on the Abandonment Plat as "TOWN OF APEX TEMP. CONST. EASE. DB 15436, PG 463 HEREBY ABANDONED 1891 SF";

WHEREAS, the developer desires the Town to abandon a temporary construction easement as shown on the Abandonment Plat as "TOWN OF APEX TEMP. CONST. EASE. DB 15436, PG 463 HEREBY ABANDONED 1644 SF";

WHEREAS, the developer desires the Town to abandon a temporary construction easement as shown on the Abandonment Plat as "TEMPORARY CONSTRUCTION EASEMENT DB 15414, PG 1903 TO BE ABANDONED 1995 SF";

WHEREAS, the Town Council considers it advisable to abandon the water and sewer utility easements and temporary construction easements;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

- (1) The Town Council hereby authorizes the abandonment of the water and sewer utility easements and temporary construction easements as shown on the Abandonment Plat attached hereto as Exhibit A hereto in accordance with Paragraph (2) below.
- (2) The abandoned water and sewer utility easements and temporary construction

easements shall be abandoned effective upon, and only upon, the recording of the
“MASTER SUBDIVISION PLAT HOLLEMAN HILLS SUBDIVISION
PHASES 1 & 2” at the Wake County Register of Deeds.

Upon motion duly made by Council Member _____, and duly seconded by
Council Member _____, the above Resolution was duly adopted by the Apex
Town Council at the meeting held on the 12th day of January 2021, in the Town Hall.

Upon call for a vote the following Council Members voted in the affirmative:

and the following Council Members voted in the negative:

This the 12th day of January 2021.

TOWN OF APEX

Jacques K. Gilbert, Mayor

ATTEST:

Donna B. Hosch, Town Clerk, MMC

Toa\Holleman Hills water utility easement abandonment (2020-41)

NOTES:

- WHERE TOWN OF APEX PUBLIC UTILITIES ARE INSTALLED WITHIN PUBLIC EASEMENTS CROSSING PRIVATE PROPERTY, THE TOWN OF APEX SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF INSPECTING, REPAIRING, OR REPLACING THE UTILITIES AND APPURTENANCES.
- NO PERSON SHALL PLACE ANY PART OF A STRUCTURE, ANY PERMANENT EQUIPMENT, OR IMPOUNDMENT UPON THE TOWN OF APEX PUBLIC UTILITY EASEMENTS. PROHIBITED STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO: BUILDINGS, HOUSES, AIR CONDITIONING UNITS, HEAT PUMP UNITS, DECKS, GARAGES, STORAGE/TOOL SHEDS, SWIMMING POOLS, WALLS, RETAINING WALL MECHANISMS/APURTENANCES, AND FENCES. UPON PRIOR WRITTEN APPROVAL BY THE WATER RESOURCES DEPARTMENT, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT, OR ELECTRIC UTILITIES DEPARTMENT, AS APPROPRIATE, FENCES MAY BE PERMITTED TO PERPENDICULARLY CROSS EASEMENTS PROVIDED THAT A 14 FOOT ACCESS GATE IS INSTALLED ACROSS THE EASEMENT.
- ASPHALT OR CONCRETE PRIVATE STREETS, DRIVEWAYS, WALKWAYS, PARKING LOTS, ETC. SHALL NOT BE INSTALLED OVER TOWN OF APEX PUBLIC UTILITIES AND/OR PUBLIC EASEMENTS WITHOUT THE PRIOR WRITTEN CONSENT OF THE TOWN OF APEX. WHERE APPROVED PRIVATE STREETS, DRIVEWAYS, WALKWAYS, PARKING LOTS, ETC. HAVE BEEN INSTALLED AND ENROACH UPON PUBLIC EASEMENTS, THE TOWN OF APEX SHALL NOT BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF ANY PRIVATE SITE ELEMENTS WHICH MUST BE REMOVED TO FACILITATE REPAIRS. THE TOWN OF APEX SHALL EXCAVATE AS NECESSARY TO MAKE THE REPAIR, AND SHALL BACKFILL THE DISTURBED AREA TO APPROXIMATELY THE ORIGINAL GRADE. REPLACEMENT OF PRIVATELY OWNED SITE ELEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND/OR HOMEOWNER'S ASSOCIATION WITHOUT COST TO THE TOWN OF APEX.
- THE ENCROACHMENT UPON TOWN OF APEX PUBLIC EASEMENTS SHALL NOT BE ENLARGED OR INCREASED BEYOND THE ENCROACHMENT RECEIVING TOWN OF APEX APPROVAL AS SHOWN IN THE APPROVED PLOT PLAN OR OTHER DOCUMENT ISSUED BY THE TOWN OF APEX. PROPERTY OWNER SHALL BE RESPONSIBLE FOR ANY AND ALL EXPENDITURES OF LABOR AND MATERIALS REQUIRED FOR THE INSTALLATION, ERECTION, REPAIR, REMOVAL, AND/OR MAINTENANCE OF THE ENCROACHMENTS.
- THE TOWN OF APEX SHALL NOT BE REQUIRED TO GIVE NOTICE TO THE PROPERTY OWNER OF ANY INSPECTION, REPAIR, REPLACEMENT, AND/OR REMOVAL OF ANY PRIVATE STRUCTURES, UTILITIES, OR SITE ELEMENTS.
- ANY UNAPPROVED ENCROACHMENTS INTO TOWN OF APEX PUBLIC EASEMENTS MAY BE REMOVED BY THE TOWN OF APEX WITHOUT NOTICE TO PROPERTY OWNER(S) AND WITHOUT COST, RISK, OR LIABILITY TO THE TOWN OF APEX.
- ALL OFF-SITE EASEMENTS SHALL BE ACQUIRED BY THE DEVELOPER AND THESE OFF-SITE EASEMENTS SHALL BE RECORDED BY A DEED OF EASEMENT PRIOR TO UTILITY INFRASTRUCTURE CONSTRUCTION APPROVAL. THESE EASEMENTS SHALL BE DEDICATED TO THE TOWN OF APEX AND LABELED "TOWN OF APEX PUBLIC UTILITY EASEMENT".
- NO PERSON SHALL PLANT TREES, SHRUBS, OR OTHER PLANTS WITHIN A TOWN OF APEX PUBLIC UTILITY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE WATER RESOURCES DEPARTMENT, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT, OR ELECTRIC UTILITIES DEPARTMENT, AS APPROPRIATE.
- CONTACT THE PLANNING DEPARTMENT TO GET A COPY OF THE ZONING CONDITIONS.
- WETLANDS NOTE: CERTAIN PORTIONS OF THE PROPERTY DEPICTED HEREON HAVE BEEN DETERMINED TO MEET THE REQUIREMENTS FOR DESIGNATION AS A REGULATORY WETLAND AND ARE DESIGNATED HEREON AS "WETLANDS". NO SUBSEQUENT FILL OR ALTERATION OF ANY PROPERTY SO DESIGNATED SHALL BE PERMITTED EXCEPT IN COMPLIANCE WITH THE CURRENT APPLICABLE WETLANDS RULES ADOPTED BY THE FEDERAL GOVERNMENT AND/OR THE STATE OF NORTH CAROLINA. SUCH RULES MAY REQUIRE SUBMISSION OF AN APPLICATION FOR FILL BY THE PROPERTY OWNER TO THE GOVERNMENTAL AGENCY OR AUTHORITY THEN HAVING JURISDICTION FOR WETLANDS REGULATIONS, WHICH APPLICATION SHALL REPORT THE NAME OF THE SUBDIVISION AND MAY BE APPROVED OR DENIED WITHIN THE DISCRETION AND AUTHORITY OF SUCH AGENCY. THIS RESTRICTION SHALL RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS HAVING INTEREST THEREIN AND SHALL INURE TO THE BENEFIT OF, AND BE ENFORCED BY ANY AND ALL GOVERNMENT AGENCIES OR AUTHORITIES HAVING JURISDICTION FOR THE WETLANDS REGULATIONS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, AND ALL SHEETS RELATED HERETO, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF APEX, AND THAT I HEREBY ADOPT THIS EASEMENT OF RIGHT-OF-WAY DEDICATION PLAT WITH MY FREE CONSENT, AND AS APPLICABLE, CERTIFY THAT THIS PLAN COMPLIES WITH BUILDING SETBACK LINES ESTABLISHED BY THE TOWN OF APEX UNIFIED DEVELOPMENT ORDINANCE AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE, AS NOTED AND WILL MAINTAIN THE SAME TO THE STANDARDS SET FORTH BY THE TOWN OF APEX UNIFIED DEVELOPMENT ORDINANCE UNTIL THE TOWN OR HOMEOWNERS ASSOCIATION TAKES OVER THIS RESPONSIBILITY. FURTHERMORE, I HEREBY DEDICATE ALL ELECTRICAL SYSTEMS WHICH ARE LOCATED WITHIN THE MUNICIPAL ELECTRIC SERVICE AREA, SEWER AND WATER LINES TO THE TOWN OF APEX.

DATE _____ OWNER (SIGNATURE MUST BE NOTORIZED) _____

I, _____, A NOTARY PUBLIC OF THE COUNTY OF _____, STATE OF NORTH CAROLINA, HEREBY CERTIFY THAT PERSONALLY APPEARED BEFORE ME THIS DAY AND UNDER OATH ACKNOWLEDGED THAT THE ABOVE FORM WAS EXECUTED BY HIM/HER. WITNESS MY HAND AND SEAL THIS THE _____ DAY OF _____, 2020.

NOTARY
MY COMMISSION EXPIRES: _____

LEGEND

- EIP = EXISTING IRON PIPE
- EIPC = EXISTING IRON PIPE W/ CAP
- EIS = EXISTING IRON STAKE
- EAI = EXISTING ANGLE IRON
- IPS = IRON PIPE SET

- = TOWN OF APEX WATER UTILITY EASEMENT
- = TEMPORARY CONSTRUCTION EASEMENT
- = TOWN OF APEX SEWER UTILITY EASEMENT

NOTES:

AREAS ARE BY COORDINATES.
GRID BEARINGS AND COORDINATES ARE BY VRS GPS OBSERVATIONS PERFORMED 11/03/17.
THE EASEMENTS SHOWN HEREON ARE PLOTTED FROM THE DEEDS AS SHOWN.
THE EASEMENT ABANDONMENT COUNCIL RESOLUTION IS # _____
THE ZONING CASE NUMBERS ARE 17CZ14 & 17CZ22.
THE ANNEXATION CASE NUMBERS ARE #608 & #611.

REFERENCES

DEED BOOK 19291, PAGE 2030
BOOK OF MAPS 1988, PAGE 272
BOOK OF MAPS 2017, PAGE 69
BOOK OF MAPS 2017, PAGE 81

I, RODNEY E. MORRIS CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

I, RODNEY E. MORRIS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION RECORDED IN BOOK 17291, PAGE 2030; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN _____, PG _____; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS THIS _____ DAY OF _____, AD.

REVIEW OFFICER CERTIFICATION

I, _____, REVIEW OFFICER OF WAKE COUNTY, CERTIFY THAT THIS PLAT MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE _____ REVIEW OFFICER _____

APPROVAL EXPIRES IF NOT RECORDED ON OR BEFORE: _____

JAMES CANNADY
DB 6558, PG 60
BM 1986, PG 2000

RUBY HAWKINS MANN
WILLIE LEE MANN
DB 3092, PG 136

CENTER OF BRANCH
IS THE PROPERTY LINE

PARCEL A
AMH NC DEVELOPMENT LP
DB 17291, PG 2030
BM 1988, PG 272

18.746 ACRES
0 GARRIS RD
PIN 0619899620

TOWN OF APEX
SEWER EASEMENT
DB 15436, PG 463

PORTION OF
TOWN OF APEX
WATER UTILITY EASEMENT
DB 15436, PG 463
HEREBY ABANDONED
6415 SF

TOWN OF CARY
UTILITY & PIPELINE EASEMENT
DB 14432, PG 145

TOWN OF APEX
WATER EASEMENT
DB 14425, PG 417

TOWN OF APEX
ELECTRIC EASEMENT
DB 14434, PG 2549

TOWN OF APEX
ELECTRIC EASEMENT
DB 15652, PG 2319

TOWN OF APEX
SEWER EASEMENT
DB 15436, PG 463

N 87°05'33" W 656.33'

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCE, OR SALES

FLORENCE S. MORRISON
FAMILY LIVING TRUST
DB 4892, PG 577

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 89°22'19" E	58.25'	L16	N 01°34'15" E	50.63'	L31	N 85°11'16" E	12.84'
L2	S 19°30'31" E	43.81'	L17	N 14°42'03" W	50.39'	L32	N 85°11'16" E	16.11'
L3	S 54°48'48" W	58.73'	L18	N 01°30'20" W	51.99'	L33	S 01°12'27" W	13.64'
L4	S 43°44'17" W	37.47'	L19	N 88°39'35" W	20.00'	L34	S 01°12'27" W	18.44'
L5	N 00°30'16" E	14.76'	L20	N 00°46'07" E	54.51'	L35	S 34°03'26" W	153.24'
L6	N 42°20'35" W	122.06'	L21	N 01°40'22" W	196.90'	L36	S 89°50'49" W	12.09'
L7	S 00°44'20" W	97.86'	L22	S 02°17'40" E	88.02'	L37	S 89°50'49" W	22.34'
L8	S 01°38'31" E	96.20'	L23	S 01°40'22" E	197.00'	L38	N 89°44'09" W	10.90'
L9	S 01°24'59" W	98.19'	L24	S 00°46'07" W	55.14'	L39	N 13°15'31" E	4.30'
L10	S 86°44'40" E	63.80'	L25	N 88°39'35" W	0.34'	L40	N 34°03'26" E	185.37'
L11	N 20°54'32" E	8.23'	L26	N 00°23'49" W	44.94'	L41	S 34°03'26" W	175.53'
L12	N 07°31'10" W	49.99'	L27	N 13°15'16" E	164.90'			
L13	N 18°18'49" E	19.28'	L28	S 89°44'09" E	10.90'			
L14	N 00°00'01" E	50.42'	L29	N 13°15'16" E	6.95'			
L15	N 21°00'54" W	51.41'	L30	N 34°03'26" E	180.90'			

TEMPORARY CONSTRUCTION EASEMENT
WATER & SEWER UTILITY EASEMENT
DB 15443, PG 2315
DB 15916, PG 1778

FIRST BAPTIST CHURCH
OF NEW HILL
DB 14070, PG 2692
BM 2010, PG 899

BENT EIP
AT 44.70'S 89°28'44" E 439.82'

TEMPORARY CONSTRUCTION EASEMENT
WATER & SEWER UTILITY EASEMENT
DB 15414, PG 1917

PARCEL C
AMH NC DEVELOPMENT LP
DB 17291, PG 2030
BM 2017, PG 81

60' ROAD DEDICATION
BM 1972, PG 343
BM 1988, PG 272

ANNEXED BM 2017, PG 2060
3.155 AC

3028 NEW HILL HOLLEMAN RD
PIN 0710905157

EIP AT 43.11'

TOWN OF APEX
WATER UTILITY EASEMENT
DB 15436, PG 463

TOWN OF APEX
SEWER UTILITY EASEMENT
DB 15436, PG 463
HEREBY ABANDONED
3765 SF

TOWN OF APEX
WATER UTILITY EASEMENT
DB 15436, PG 463
HEREBY ABANDONED
1891 SF

TEMPORARY CONSTRUCTION EASEMENT
DB 15414, PG 1903
HEREBY ABANDONED
1995 SF

PARCEL B
AMH NC DEVELOPMENT LP
DB 17291, PG 2030
BM 2017, PG 69

ANNEXED BM 2017, PG 2060
2.396 AC

5112 CHURCH RD
PIN 0619995709

UTILITY & PIPELINE EASEMENT
DB 14432, PG 122

INA MYRTLE EVANS
E 2000/788
BM 2017, PG 69

WATER UTILITY EASEMENT
DB 14425, PG 422

POB
PARCEL B

INA MYRTLE EVANS
E 2000/788

WATER UTILITY EASEMENT
DB 14425, PG 422

STANLEY EVANS
DEBRA EVANS
DB 2944, PG 522

MARK MALETTA
DB 14542, PG 1787

POB
PARCEL B

INA MYRTLE EVANS
E 2000/788

WATER UTILITY EASEMENT
DB 14425, PG 422

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INA MYRTLE EVANS
E 2000/788

WATER UTILITY EASEMENT
DB 14425, PG 422

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INA MYRTLE EVANS
E 2000/788

WATER UTILITY EASEMENT
DB 14425, PG 422

POB
PARCEL B

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: 01/12/2021

Item Details

Presenter(s): Tony Godwin, Chief of Police

Department(s): Police Department

Requested Motion

Motion to approve Ordinance amending Section 20-38 to allow the Chief of Police to maintain an eligible list of towing services for use by the Police Department

Approval Recommended?

Yes

Item Details

The Department would like to be able to use the approved list of towing services from the North Carolina Highway Patrol. This allows us to use services that are regularly inspected by the Highway Patrol for adherence to North Carolina General Statutes and safety standards.

Attachments

- Amended Ordinance 20-38



ORDINANCE NO. 2021-0112-02

AN ORDINANCE TO AMEND CHAPTER 20, ARTICLE III, “ABANDONED, JUNKED AND DISABLED VEHICLES; TOWING SERVICE”, OF THE CODE OF ORDINANCES OF THE TOWN OF APEX.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. That Section 20-38 of the Town of Apex Code of Ordinances is hereby amended as shown immediately below with deletions being shown by struck-through text and additions being shown by underlined text:

Sec. 20-38. - Towing and storage—Designation of eligible person.

- (a) The chief of police or his designee shall prepare and maintain an eligible list of those persons (hereinafter called towing services) who ~~apply and~~ qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department.
- (b) ~~To qualify for the eligible list, the applicant shall:~~
 - (1) ~~Have available at all times equipment in good condition capable of towing any automobile or truck from the streets and other public or private places in the town when called on to do so.~~
 - (2) ~~Adhere to the policies set forth in the police department’s towing service eligibility policy under penalty of removal from the eligible list.~~

The town council may, if in its opinion the public interest would be served thereby, enter into an exclusive contract with one or more persons engaged in the towing and storage of motor vehicles to remove the vehicles described herein from the public streets and alleys and other places on such terms and conditions as may be mutually agreed upon. The contract so made shall be in writing, shall specify the charges to be made for towing and storage as provided herein, shall require the person entering into the contract for the towing and storage of such vehicles to perform the service in a manner satisfactory to the council and shall provide for the forfeiture of the contract in the event of a violation of any of the provisions of the contract or of any subsection of this section which may be incorporated in and made a part of the contract. The contract may further provide that the town shall not be obligated to the person undertaking the towing and storage of the vehicles for any damages or charges which may be incurred in the performance of the obligation assumed by such person but that the charge may be collected solely from the owner of the vehicle involved.

(~~dc~~) The police department may use one or more towing services from their approved list.

Section 2. **The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this Ordinance.**

Section 3. **Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.**

Section 4. **This ordinance shall be effective upon adoption.**

Introduced by Council Member _____

Seconded by Council Member _____

This the 12th day of January 2021

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, MMC, NCCMC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS

Meeting Date: January 12, 2021

Item Details

Presenter(s): Jacques Gilbert, Mayor

Department(s): Governing Body

Requested Motion

Discussion and consensus regarding which ten (10) of the seventeen (17) North Carolina League of Municipalities (NCLM) Legislative Goals the Town Council wishes to have our appointed delegate vote for in the NCLM Goals process and a motion to appoint an elected official as our designated delegate

Approval Recommended?

Yes

Item Details

As part of the process leading up to the "long session" of the NC General Assembly, the NCLM works through a process to determine upon which goals to focus their advocacy efforts. The NCLM Board, after receiving input from various committees and staff, voted to approve seventeen statements to send along to the NCLM membership to narrow down to ten to be contained on the NCLM Advocacy Goals agenda.

Attachments

- NCLM Proposed Legislative Goals



LEGISLATIVE GOAL STATEMENTS

RECOMMENDED BY THE NCLM BOARD OF DIRECTORS

The following goal statements are NOT listed in any particular order.

- Grant local governments the authority to build broadband infrastructure in order to partner with private providers, and provide additional funding to help close the digital divide.
 - The COVID-19 pandemic has demonstrated the need for additional steps to improve broadband access.
 - Slow and unreliable internet service threatens educational and professional opportunities, and the economic future of entire communities.
 - Failure to utilize local government assistance and assets will continue to create digital gaps that have real-world consequences for North Carolinians.
- Secure federal and state aid directly to municipalities to offset all lost revenues due to the Covid-19 pandemic.
 - Municipalities saw large drops in sales and occupancy taxes and utility revenues last spring; the current surge in the virus is likely to produce more economic disruption and further erosion in revenues.
 - Earlier federal assistance to state and local governments was neither direct nor flexible, preventing revenue holes from being filled.
 - NC municipalities received only a fraction of the federal CARES Act state and local dollars allocated to North Carolina in March.
- Expand incentives and funding for local economic development.
 - Funding is simply inadequate in many cities and towns to encourage job growth.
 - A lack of state funding is seen in grants or incentives for major job creation projects as well as programs to boost small business growth.
 - Among the needs are restoring cuts or additional funding for film tax credits, major industrial site development, downtown development and renewable energy tax credits.

- Refine economic tier designation system to more accurately reflect conditions at sub-county level.
 - The existing criteria does not seem to reflect the status of many communities.
 - The current tier designations fail to take into account the disparate levels of wealth within individual counties.
 - The county-focused system means that municipalities can lose out on state grants and other types of funding when they fail to adequately reflect community's wealth.
- Revitalize vacant and abandoned properties with enhanced legal tools and funding.
 - Many towns and cities do not have the funding to address abandoned properties.
 - These properties affect surrounding home and business property values, economic development opportunities and crime rates.
 - With funding and additional legal tools, such as those allowing for properties to be more easily condemned and to address multiple heirs, these properties could serve to addressing local housing needs.
- Increase state and federal funding for affordable housing.
 - Ongoing revenue sources to meet affordable housing needs is extremely limited; the two primary state programs to meet those needs – the N.C. Housing Trust Fund and the Workforce Housing Loan Program – have received less than \$30 million annually in recent years.
 - More than one-in-four North Carolina households are considered “cost-burdened” when it comes to paying for housing, meaning they pay at least 30 percent of their income in housing costs.
 - Affordable housing is not an issue only in larger cities; a growing number of smaller cities and towns have recognized a lack of affordable housing as major problem facing residents and an impediment to workforce recruitment.

- Create a permanent and adequate funding stream for local infrastructure needs.
 - Infrastructure – including roads, water, sewer, stormwater, parks and beaches – are critical to economic development and job creation.
 - Many cities in the state are growing, creating a constant need for investment to keep pace with population growth; many cities and towns also have aging infrastructure that must be replaced.
 - Creating a more permanent funding stream for local infrastructure, such as a dedicated tax source, would allow for better planning to meet needs.
- Provide funding to keep aging water and sewer systems financially solvent today and viable for the future.
 - According to a state study, North Carolina will need at least \$17 billion to meet water and wastewater infrastructure needs over the next two decades.
 - Several dozen towns in the state have financially distressed water or sewer operations, threatening the towns' overall financial viability.
 - These stresses to water and sewer operations have coincided with population and job losses in rural areas, leading to an erosion of taxpayer and ratepayer bases.
- Ensure state funding for any new, state-mandated benefits for municipal employees.
 - In recent years, legislators have considered additional post-retirement benefits for certain classes of municipal employees.
 - Often, proposed legislation would act as an unfunded mandate on municipalities, as it fails to include a state-funding source.
 - Proposals, many focused on firefighter benefits, fail to consider that municipalities already enjoy the authority to provide these benefits individually without legislative action.
- Improve state-wide funding and support for LEO training focused on use of force, mental health and de-escalation skills.
 - Highly-publicized incidents of police use of force in 2020 have underscored the need for enhanced and expanded law enforcement training.
 - Improved training is needed to build trust and legitimacy in the community while serving the public in a professional and equitable manner.
 - Numerous studies show that additional and effective training focused on conflict de-escalation can significantly reduce police use of force.

- Permit all cities to establish a police department citizen review board.
 - Current state law requires cities to seek local legislation approved by the General Assembly to establish a police citizen review board.
 - A statewide law providing cities and towns the option of establishing such boards would allow more flexibility to meet local needs.
 - Establishing these review boards, when sought by and supported by local residents, can create another avenue to build trust with the community.
- Allow a short grace period for online posting of local emergency declarations while allowing them to take effect immediately.
 - Current state law requires immediate online posting of local emergency declarations in order to take effect.
 - Recent disasters and emergencies have demonstrated the difficulties meeting the requirement.
 - Weather issues and power outages are among the problems that can hamper compliance.
- Increase public safety grant funding and expand allowable uses.
 - Improving policing will require additional public safety grant funding and more flexibility in its uses.
 - More effective and equitable policing can be achieved by additional funding of community policing programs, as well as putting more dollars toward alternative programs that seek to address mental health calls and other issues through non-uniformed personnel.
 - Additional funding is also needed to meet public safety communication needs.
- Extend notification timeline for any changes to sales tax revenue disbursement.
 - Under current law, counties are able to shift the method of local sales tax disbursement in April, providing notice to municipalities just two months ahead of the new fiscal year.
 - These shifts, from per-capita to ad valorem distribution methods, or vice versa, can mean significant losses of sales tax revenue for municipalities, with little time to consider the budget implications.
 - County governments enjoy this power even though a majority of sales tax revenues are generated within municipal borders.

- Reduce pressure on property tax payers by expanding locally-controlled options for revenue generation.
 - Property taxes remain the primary revenue stream over which municipal governments exercise control.
 - Cities have little or no authority to raise significant revenue in other ways.
 - A lack of diverse, local tax options can affect economic growth, as well as cause large swings in revenue based on economic changes.
- Increase in state funding to support public transportation development and operations.
 - Growing areas require public transportation options to effectively allow people to work, live and play.
 - When quality of life suffers due to traffic congestion, areas lose their attractiveness as places to live and work; that can affect the larger economic growth of the entire state.
 - The state needs to be a full partner in public transit solutions.
- Improve processes and payments for moving utility lines located in the right-of-way during transportation projects.
 - NCDOT charges to cities to move utility lines for road projects can be costly.
 - Due to uncertain construction timelines, these charge often come with little notice or ability to budget.
 - Increased transparency and communication would allow cities to better plan for these projects.

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PRESENTATION BY
TOWN MANAGER
Meeting Date: January 12, 2021

Item Details

Presenter(s): Drew Havens, Town Manager
Department(s): Administration

Requested Motion

The Town Manager will give a brief update on various Town projects/operations

Approval Recommended?

N/A

Item Details

N/A

Attachments

- N/A



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for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: January 12, 2021

Item Details

Presenter(s): Laurie Hohe, Town Attorney

Department(s): Legal Department

Requested Motion

Possible motion to go into closed session to consult with the Town Attorney pursuant to NCGS 143-318.11(a)(3)

Approval Recommended?

N/A

Item Details

N/A

Attachments

- N/A



| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: January 12, 2021

Item Details

Presenter(s): Mayor Jacques Gilbert

Department(s): Governing

Requested Motion

Possible motion to go into Closed Session to discuss personnel matters.

Approval Recommended?

Yes

Item Details

N/A

Attachments

- N/A

