

# STAFF REPORT

Rezoning #21CZ22 Old Ivey Road Residential

November 23, 2021 Town Council Meeting



All property owners, tenants, and neighborhood associations within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 *Public Notification*.

## **BACKGROUND INFORMATION:**

**Location:** 1516 Old Ivey Road & 7620 McQueens Drive  
**Applicant/Owners:** Ranjeet Agarwala, Estates at White Oak LLC

## **PROJECT DESCRIPTION:**

**Acreage:** ± 8.82 acres  
**PINs:** 0722890666 & 0722893526  
**Current Zoning:** Rural Residential (RR)  
**Proposed Zoning:** Low Density Residential-Conditional Zoning (LD-CZ)  
**2045 Land Use Map:** Low Density Residential  
**Town Limits:** ETJ

## **Adjacent Zoning & Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North:</b>	Rural Residential (RR)	Single-family Residential
<b>South:</b>	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ30); Rural Residential (RR)	Single-family Residential (Preserve at White Oak subdivision); McQueens Dr; Manufactured Home
<b>East:</b>	Rural Residential (RR)	Old Ivey Rd; Single-family residential; Vacant
<b>West:</b>	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ30)	Single-family Residential (Preserve at White Oak subdivision)

## **Existing Conditions:**

The subject properties are currently located west of Old Ivey Road, north of Jenks Road, and west of the Preserve at White Oak subdivision. The subject property located at 7620 McQueens Drive is currently vacant with existing vegetation. The subject property located at 1516 Old Ivey Road contains residential structures and has existing vegetation.

## **Neighborhood Meeting:**

The applicant conducted a neighborhood meeting on August 26, 2021. The neighborhood meeting report is attached.

## **WCPSS Coordination:**

A Letter of Impact from Wake County Public School System (WCPSS) was received for this rezoning and is included in the staff report packet. WCPSS indicates that school at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.

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## 2045 LAND USE MAP:

The 2045 Land Use Map identifies the properties subject to this rezoning as Low Density Residential. The proposed rezoning to Low Density Residential-Conditional Zoning is consistent with that land use classification.

## PERMITTED USES:

The applicant is proposing the following uses permitted uses:

1. Single-family
2. Accessory apartment
3. Greenway
4. Recreation facility, private
5. Park, active
6. Park, passive
7. Utility, minor

## PROPOSED ZONING CONDITIONS:

Single-Family Detached Residential:

1. The project density will not exceed 3.00 dwelling units/acre. Maximum number of units is 26 dwelling units. All lots shall be greater than 6,000 SF.
2. Setbacks shall be as follows within this development:
  - 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
3. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
4. Eaves shall project at least 12 inches from the wall of the structure.
5. 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
  - Bay window
  - Recessed or Decorative window
  - Trim around the window
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative gable
  - Decorative air vents on gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
6. A varied color palette shall be utilized on homes throughout the subdivision, to include a minimum of two (2) color families for siding and shall include varied trim, shutter and accent colors complementing the siding color.
7. 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.
8. Garage may not protrude more than 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.
9. All homes shall be pre-configured with conduit for a solar energy system.
10. Homeowners Association covenants shall not restrict construction of any accessory dwelling unit.

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11. The roof shall be pitched at 5:12 or greater for 75% of the building designs.
12. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
13. Front porches shall be a minimum of 5 feet deep.
14. The overhead Duke Energy electric easement from Jenks Road to Old Ivey Road shall be counted towards the required RCA and buffer standards as identified within various UDO sections.
15. Vining Branch Way shall remain closed to construction traffic until dedicated to the Town of Apex.
16. Prior to recordation of the first Final Plat for the property, the developer shall provide a donation to the Town of Apex's Affordable Housing Fund (the "FUND") in the amount of \$215/dwelling unit.

The following conditions are provided as a result of the Environmental Advisory Board (EAB) meeting and have been incorporated in the rezoning request for the development:

1. The Development shall meet Apex UDO standards for post-development stormwater runoff rates. In addition, the post-development runoff for the 25-year stormwater event shall be mitigated to the pre-development rate.
2. SCMs shall not be permitted within riparian buffers. Tree clearing and grading shall only be permitted within riparian buffers if it is necessary to install public infrastructure, including but not limited to water, sewer, and greenways.
3. The Development shall install at least one (1) sign identifying environmental sensitive areas and/or at least one (1) pet waste station to discourage pet waste and chemical usage near RCA and SCMs.
4. A minimum of 50% of the required landscaping outside of RCA and perimeter buffers and all supplemental landscaping within RCA and perimeter buffers shall be native species listed in the Design & Development Manual or approved by staff to increase the native diversity to reduce irrigation and chemical use. This shall not apply to turf grass.
5. Native flora shall be used within the development, a minimum of 50% of the plantings for each planting group (tree, shrubs, etc.).
6. Warm season turf grasses shall be planted where turf grass is proposed.
7. Outdoor lighting shall be full cut-off and shielded to prevent glare and light spillover to minimize the impact on neighboring residential properties. LED fixtures shall be used and the lighting temperature shall be a maximum of 3,000K.
8. A minimum of three (3) native hardwood tree species shall be planted within the development.

## ENVIRONMENTAL ADVISORY BOARD:

The Apex Environmental Advisory Board (EAB) held a pre-application meeting for this rezoning on August 18, 2021. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Condition	Applicant's Response
Increase design storm pre- and post-attenuation requirements to the 25-year storm.	Added
Add permit condition which does not allow for tree clearing, SCM, or infrastructure in either zone of the riparian buffer.	Added
Install signage near environmental sensitive areas in order to: <ul style="list-style-type: none"><li>• Reduce pet waste near SCM drainage areas</li><li>• Eliminate fertilizer near SCM drainage areas</li></ul>	Added
Increase biodiversity.	Added

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<ul style="list-style-type: none"><li>Plant native flora</li></ul>	
Include landscaping that requires less irrigation and chemical use. <ul style="list-style-type: none"><li>Plant warm season grasses for drought-resistance</li></ul>	Added
Install pet waste stations in neighborhoods.	Added
Include solar conduit in building design.	Added
Include International Dark Sky Association compliance standards. <ul style="list-style-type: none"><li>Lighting with a color temperature of 3000K or less shall be used for outside installations.</li></ul>	Added
Maximize RCA in the northern area of the site in consideration of the nearby creek.	Not added. To be addressed at Master Subdivision Plan.
Increase the number of native hardwood tree species planted to 3, preferably 4.	Added
Recommendation of eight homes to have a minimum 4-KW rooftop solar PV system.	Not added. However, a condition was added to include solar conduit.

### PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on November 8, 2021 and recommended approval, with the conditions as offered by the applicant, by a vote of 5-0. Keith Braswell was recused as he represented the property owner who sold the property to the applicant.

### PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of #21CZ22 Old Ivey Road Residential with the conditions as offered by the applicant.

### ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness, and effect on public interest:

Approval of the rezoning is reasonable because the proposed Low Density Residential-Conditional Zoning (LD-CZ) district is consistent with the 2045 Land Use Plan. The 2045 Land Use Map classifies the subject property as Low Density Residential which includes the LD-CZ district.

The proposed rezoning is reasonable and in the public interest because it permits single-family residential development consistent and compatible with the existing development to the east and south. The rezoning would also allow for development that will extend Vining Branch Way to Old Ivey Road. The proposed rezoning will maintain the character and appearance of the area and provide the flexibility to accommodate the growth in population, economy, and infrastructure consistent with that contemplated by the 2045 Land Use Map.

### CONDITIONAL ZONING STANDARDS:

The Town Council shall find the Low Density Residential-Conditional Zoning (LD-CZ) designation demonstrates compliance with the following standards. Sec. 2.3.3.F:





### ***Legislative Considerations***

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.

- 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.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec. 4.4 *Supplemental Standards*, if 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.
- 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.
- 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.
- 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.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.
- 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.
- 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.



Rezoning #21CZ22

Our Estate

The Preserve at  
White Oak Creek

Castlereagh  
North

Caitlin Pond





## PETITION TO AMEND THE OFFICIAL ZONING 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 #: 21CZ22 Submittal Date: 9/1/2021  
Fee Paid: \$1000

### Project Information

Project Name: Old Ivey Road Residential  
Address(es): 1516 Old Ivey Rd, 7620 McQueens Dr  
PIN(s): 0722-89-0666  
0722-89-3526 Acreage: 8.82  
Current Zoning: RR Proposed Zoning: LD-CZ  
Current 2045 LUM Classification(s): Low Density Residential  
Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes  No

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:	<u>N/A</u>
Area proposed as non-residential development:	Acreage:	<u>N/A</u>
Percent of mixed use area proposed as non-residential:	Percent:	<u>N/A</u>

### Applicant Information

Name: Estates at WhiteOak LLC - attn: Ranjeet Agarwala  
Address: 2500 Stonington Drive  
City: Apex State: NC Zip: 27523  
Phone: (361) 228-2071 E-mail: ragarwala@hotmail.com

### Owner Information

Name: same at Applicant  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

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

Other contacts: \_\_\_\_\_  
dwoods@peakengineering.com  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION INFORMATION**

Application #: 21CZ22 Submittal Date: 9/1/2021

An application has been duly filed requesting that the property described in this application be rezoned from RR \_\_\_\_\_ 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 (UDO). 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, as required by the UDO. 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	<u>Single-family</u>	21	_____
2	<u>Accessory apartment</u>	22	_____
3	<u>Greenway</u>	23	_____
4	<u>Recreation facility, private</u>	24	_____
5	<u>Park, active</u>	25	_____
6	<u>Park, passive</u>	26	_____
7	<u>Utility, minor</u>	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	_____

**PETITION INFORMATION**

Application #: 21CZ22 Submittal Date: 9/1/2021

**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.

See attached list of 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 single family residential development and additional uses are in keeping with the adopted 2045 Land Use Map as well as standards associated with residential development within an LD-CZ district.

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 development will provide buffers to the adjacent residential property, including The Preserve at White Oak Creek and the existing homes along Old Ivey Road. The proposed use is compatible with the surrounding residential properties.

## **OLD IVEY ROAD RESIDENTIAL CONDITIONS OF ZONING**

### Single-Family Detached Residential:

1. The project density will not exceed 3.00 dwelling units/acre. Maximum number of units is 26 dwelling units. All lots shall be greater than 6,000 SF.
2. Setbacks shall be as follows within this development:
  - 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
3. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
4. Eaves shall project at least 12 inches from the wall of the structure.
5. 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
  - Bay window
  - Recessed or Decorative window
  - Trim around the window
  - Wrap around porch or side porch
  - Two or more building materials
  - Decorative brick/stone
  - Decorative trim
  - Decorative shake
  - Decorative gable
  - Decorative air vents on gable
  - Decorative cornice
  - Column
  - Portico
  - Balcony
  - Dormer
6. A varied color palette shall be utilized on homes throughout the subdivision, to include a minimum of two (2) color families for siding and shall include varied trim, shutter and accent colors complementing the siding color.
7. 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.
8. Garage may not protrude more than 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.
9. All homes shall be pre-configured with conduit for a solar energy system.

**OLD IVEY ROAD RESIDENTIAL  
CONDITIONS OF ZONING  
(continued)**

10. Homeowners Association covenants shall not restrict construction of any accessory dwelling unit.
11. The roof shall be pitched at 5:12 or greater for 75% of the building designs.
12. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
13. Front porches shall be a minimum of 5 feet deep.
14. The overhead Duke Energy electric easement from Jenks Road to Old Ivey Road shall be counted towards the required RCA and buffer standards as identified within various UDO sections.
15. Vining Branch Way shall remain closed to construction traffic until dedicated to the Town of Apex.
16. Prior to recordation of the first Final Plat for the property, the developer shall provide a donation to the Town of Apex's Affordable Housing Fund (the "FUND") in the amount of \$215/dwelling unit.

The following conditions are provided as a result of the Environmental Advisory Board (EAB) meeting and have been incorporated in the rezoning request for the development:

1. The Development shall meet Apex UDO standards for post-development stormwater runoff rates. In addition, the post-development runoff for the 25-year stormwater event shall be mitigated to the pre-development rate.
2. SCMs shall not be permitted within riparian buffers. Tree clearing and grading shall only be permitted within riparian buffers if it is necessary to install public infrastructure, including but not limited to water, sewer, and greenways.
3. The Development shall install at least one (1) sign identifying environmental sensitive areas and/or at least one (1) pet waste station to discourage pet waste and chemical usage near RCA and SCMs.
4. A minimum of 50% of the required landscaping outside of RCA and perimeter buffers and all supplemental landscaping within RCA and perimeter buffers shall be native species listed in the Design & Development Manual or approved by staff to increase the native diversity to reduce irrigation and chemical use. This shall not apply to turf grass.
5. Native flora shall be used within the development, a minimum of 50% of the plantings for each planting group (tree, shrubs, etc.).
6. Warm season turf grasses shall be planted where turf grass is proposed.
7. Outdoor lighting shall be full cut-off and shielded to prevent glare and light spillover to minimize the impact on neighboring residential properties. LED fixtures shall be used and the lighting temperature shall be a maximum of 3,000K.
8. A minimum of three (3) native hardwood tree species shall be planted within the development.



PETITION INFORMATION

Application #: 21CZ22 Submittal Date: 9/1/2021

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

**The proposed development will comply with the 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.

**Through the installation of perimeter buffers, limited access to Old Ivey Road, architectural standards, and design standards similar to the adjacent properties, the project will minimize 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 will minimize environmental impacts through perimeter vegetation avoidance/preservation, SCMs to reduce impact on downstream aquatic function, and utilize existing street stubs for access the property. The existing conditions on the property area not currently ideal for environmental protections.**

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.

**There are significant developments near the property with existing infrastructure, including water, sewer and roadway extensions, street stubs, a proposed fire station, park land acquisition on Wimberly Road, and other improvements to Town facilities.**

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 project will be annexed into the Town's corporate limits for public utilities and will have no negative impacts on surrounding property owners and the citizens of Apex and ETJ members.**

PETITION INFORMATION

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

The proposed LD-CZ is in keeping with the residential character of the northwest portion of Apex. The design will provide residential properties similar to the adjacent subdivisions recently approved by the Town of Apex.

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 list of uses do not constitute nuisance uses or hazardous uses based upon the size of the property, the number of future homes, and the extension of the adjacent Preserve at White Oak properties.

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 comply with various section of the Town of Apex's Unified Development Ordinance (UDO), adopted plans, and standard specifications.

**AGENT AUTHORIZATION FORM**

Application #: 21CZ22

Submittal Date: 9/1/2021

Estates at WhiteOak LLC 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: 1516 Old Ivey Road and 7620 McQueens Drive

The agent for this project is: Peak Engineering & Design, PLLC

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


Agent Name: Jeff Roach, P.E. - Peak Engineering & Design, PLLC

Address: 1125 Apex Peakway, Apex, NC 27502

Telephone Number: (919) 439-0100

E-Mail Address: jroach@peakengineering.com

Signature(s) of Owner(s)\*

  
ABOU KAMAL PASHA  
 Type or print name

11/10/21  
 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 #: 21CZ22

Submittal Date: 9/1/2021

The undersigned, Estates at WhiteOak LLC (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

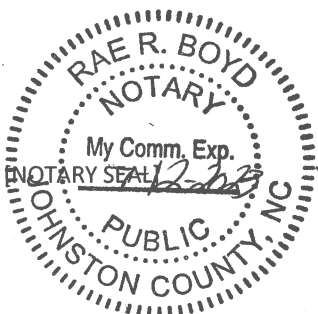
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 1516 Old Ivey Road & 7620 McQueens Drive and legally described in Exhibit "A" attached hereto and incorporated herein (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 11/02/2021, and recorded in the Wake County Register of Deeds Office on 11/02/2021, in Book 18779 Page 2351 - 2353.
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 11/02/2021, 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 11/02/2021, 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 10 day of Nov, 2021.

*Abdul Kamal Pasha* (seal)  
ABDUL KAMALPASHA  
 Type or print name

STATE OF NORTH CAROLINA  
 COUNTY OF Johnston

I, the undersigned, a Notary Public in and for the County of Johnston, hereby certify that Abdul Kamal Pasha, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Abdul Kamal Pasha, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



*Rae R Boyd*  
 Notary Public  
 State of North Carolina  
 My Commission Expires: July 12, 2023

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 21CZ22

Submittal Date: 9/1/2021

**Insert legal description below.**

**Parcel One**

BEGINNING at a nail in the center line of State Road 1601, said nail being the northeast corner of R. C. Tunstall according to map herein-after referred to, and said nail also being South 60 degrees 38 minutes 25 seconds West 39.21 feet from Leslie E. Brown's property; runs thence as Tunstall's north line the following courses and distances: North 68 degrees 25 minutes 50 seconds West 300 feet to an iron pipe; North 55 degrees 17 minutes 10 seconds West 100 feet to an iron pipe; North 40 degrees 07 minutes 05 seconds West 141.48 feet to an iron pipe; North 70 degrees 06 minutes 25 seconds West 158.80 feet to an iron pipe, the southeast corner of the property of now or formerly J. E. Howard, Jr.; thence as Howard's east line North 00 degrees 02 minutes 30 seconds East 588.83 feet to an iron pipe; thence South 74 degrees 19 minutes East 193.46 feet to a point in the center of a new soil road; thence as the center line of said new soil road on a curve to the left having a radius of 985 feet an arc distance of 324.66 feet to a point; thence continuing with said road South 14 degrees 12 minutes East 102.93 feet to a point; thence continuing as the center line of said road on a curve to the left having a radius of 603 feet an arc distance of 582 feet to a point in the right of way of State Road 1601; thence South 69 degrees 30 minutes East 24.83 feet to a point in the center line of said State Road 1601; thence as the center line of State Road 1601 South 60 degrees 38 minutes 25 seconds West 39.21 feet to the point and place of BEGINNING, and containing 3.82 acres, more or less, according to a map entitled "Plat of Land of Mrs. Evelyn J. Patrick, White Oak Township, Wake County, N.C." dated January, 1970, and prepared by Felton Lowman, Registered Engineer. See also Tracts A and B in Book of Maps 1983, Page 1293, Wake County Registry.

**Parcel Two**

BEGINNING at an iron pipe in the eastern line of R. C. Tunstall, said iron pipe being the southwest corner of the Evelyn J. Patrick property as shown on map recorded in Book of Maps 1969, Volume 3, Page 320; runs thence as the south line of Evelyn J. Patrick South 86 degrees 15 minutes 25 seconds East 319.23 feet to an iron pipe; thence South 00 degrees 02 minutes 30 seconds West 648.93 feet to an iron pipe in the northern property line of R. C. Tunstall; thence as Tunstall's north line the following courses and distances: North 70 degrees 06 minutes 25 seconds West 141.20 feet to an iron stake; North 89 degrees 35 minutes 25 seconds West 200 feet to an iron stake; and North 64 degrees 40 minutes 25 seconds West 56 feet to an iron pipe in R. C. Tunstall's east line; thence as Tunstall's east line North 06 degrees at 09 minutes 35 seconds East 599.80 feet to the point and place of BEGINNING, and containing five acres, more or less.

## 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](mailto:studentassignment-gis-group@wcpss.net)

Developer Company Information	
<b>Company Name</b>	Estates at White Oak, LLC
<b>Company Phone Number</b>	(919) 333-0701
<b>Developer Representative Name</b>	Ranjeet Agarwala
<b>Developer Representative Phone Number</b>	same
<b>Developer Representative Email</b>	kamalcat@gmail.com or ranjeetagarwala@hotmail.com

New Residential Subdivision Information	
<b>Date of Application for Subdivision</b>	September 2021
<b>City, Town or Wake County Jurisdiction</b>	Town of Apex
<b>Name of Subdivision</b>	Old Ivey Road Residential
<b>Address of Subdivision (if unknown enter nearest cross streets)</b>	8.82 acres
<b>REID(s)</b>	0046520 & 0046521
<b>PIN(s)</b>	0722-89-0666 & 0722-89-3526

Projected Dates Information	
<b>Subdivision Completion Date</b>	2023
<b>Subdivision Projected First Occupancy Date</b>	January 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	26						26	2,500	4,500	TBD	TBD	2022	7	2023	19		
Townhomes																	
Condos																	
Apartments																	
Other			9/1/2021	9/1/2021	9/1/2021												



## NOTICE OF NEIGHBORHOOD MEETING

August 10, 2021

Dear Neighbor,

You are invited to a neighborhood meeting on **August 26, 2021** to review and discuss the rezoning proposal at:

1516 Old Ivey Rd, Apex, NC 27523

0722-89-0666

7620 Mcqueens Dr, Apex, NC 27523

0722-89-3526

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.

### Description of Proposal:

This meeting will discuss the rezoning of the above parcels from Residential Rural (RR) to Low Density Conditional Zoning (LD-CZ) to support the development of single family detached subdivision

Due to COVID-19, the neighborhood meeting will be held via Zoom, see below. If you have any questions, please email or call Jeff Roach at [jroach@peakengineering.com](mailto:jroach@peakengineering.com) or (919) 439-0100. You may also email Jeff for the link itself.

### LINK:

<https://us02web.zoom.us/j/89848288548?pwd=YVYwV21kdnk0QmJYOUmzTlITQjkrUT09>

**Estimated Submittal Date:** September 1, 2021





## NOTICE OF NEIGHBORHOOD MEETING

**LINK:**

<https://us02web.zoom.us/j/89848288548?pwd=YVYwV21kdnk0QmJYOUMzTlITQjkrUT09>

### Meeting Information

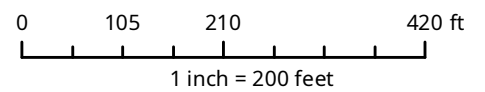
Property Owners Names:	Daniel and Susan McMains
Applicants:	Abdul Kamalpasha (Spectrum Investment Solution, LLC)
Contact Information:	Jeff Roach, <a href="mailto:jroach@peakengineering.com">jroach@peakengineering.com</a> , 919-439-0100
Meeting Address:	Meeting being held via Zoom
Date of Meeting:	8/26/2021
Time of Meeting:	5:30

### Meeting Agenda Times

Welcome:	5:30-5:40
Project Presentation:	5:40-5:55
Question & Answer:	5:55-



## Old Ivey Rd



***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.*

		ANNAMALAI, SELVAKUMAR CHELLAMUTHU RAMAMOORTHY, SAI SARANYA 615 VINE POND CT APEX NC 27523-8519
	ARAVETI, VENKATA SUDEEPTH THALLAM, SWATHI 619 VINE POND CT APEX NC 27523-8519	BALASANI, UGENDER KAKADE, PREETI 733 VINE POND CT APEX NC 27523-8500
BANDE, NITIN PATHARE, RAJASHREE 717 VINE POND CT APEX NC 275238500	BASU, SUDEEP PALIT, MANASI 732 VINE POND CT APEX NC 27523-8500	BHADORIA, VIKAS CHAUHAN, ASHA SINGH 2540 WINDING BRANCH TRL APEX NC 27523-8504
BOBBA, SRIRAMA SATYA KRISH KODAVANTI, SWATHI 725 VINE POND CT APEX NC 27523-8500	BRASWELL, ROBERT KEITH 301 GRAND HELTON CT APEX NC 27502-4102	BRASWELL, ROBERT KEITH 1505 OLD IVEY RD APEX NC 27523-5998
BUCKINGHAM, BRAD A BUCKINGHAM, MICHELE L 7721 JENKS RD APEX NC 27523-7819	CARROLL, JUSTIN CARROLL, JESSICA 1452 OLD IVEY RD APEX NC 27523-8506	CUI, BO JIN, HAIWEN 713 VINE POND CT APEX NC 27523-8500
GREEN, NATHAN GREEN, APRIL 2568 WINDING BRANCH TRL APEX NC 27523-8504	HUSSAIN, AZMAT F HUSSAIN, MERYEM 2575 WINDING BRANCH TRL APEX NC 27523-8504	KETHIREDDY, PRAVEEN THUMMALA, MADHAVI 718 VINE POND CT APEX NC 27523-8500
KOKKULA, KIRAN YAGNI, SRIDEVI 616 VINE POND CT APEX NC 27523-8519	KONERU, PHANEENDRA KONERU, SRI LAKSHMI 709 VINE POND CT APEX NC 27523-8500	KORHALE, PADMABHUSHAN THORAT, JYOTSNA 623 VINE POND CT APEX NC 27523-8519
LANDGE, SACHIN PRASHANT LANDGE, SWATI SACHIN 608 VINE POND CT APEX NC 27523-8519	LE, ROUX ANDRE 2531 WINDING BRANCH TRL APEX NC 27523-8504	LEE, ERIC LEE, HAE YOUNG 2556 WINDING BRANCH TRL APEX NC 27523-8504
LUI, CHU KUANG LI, HSIANG 2535 WINDING BRANCH TRL APEX NC 27523-8504	LUO, MENGLIN XIONG, YAN PO BOX 319 MORRISVILLE NC 27560-0319	MAYNARD, IRA HENRY WICKETT MAYNARD, LINDA MEADE 7728 JENKS RD APEX NC 27523-7818
MCMAHON, KEVIN JOSEPH MCMAHON, TARA COLLINS 604 VINE POND CT APEX NC 27523-8519	MCMAINS, DANIEL M MCMAINS, SUSAN D 7825 GREEN LEVEL CHURCH RD APEX NC 27523-9467	MCMAINS, WORTH W MCMAINS, CAREY M 7809 JENKS RD APEX NC 27523-7820

MERAKANAPALLI, SRAVAN KATIKALA,  
SUSHMA  
705 VINE POND CT  
APEX NC 27523-8500

MOHANTY, SANJAY CHAND, SUNITA  
2547 WINDING BRANCH TRL  
APEX NC 27523-8504

MOOLENAAR, GWEN MARIE BERNIER, JAMES  
JR  
2557 WINDING BRANCH TRL  
APEX NC 27523-8504

MUTHYAM, MURALI POODARI, SUSHMA  
RANI  
2561 WINDING BRANCH TRL  
APEX NC 27523-8504

NARAYANA SETTY, PRASANNA KUMAR  
PRASANNA KUMAR, RAJESHWARI  
2581 VINING BRANCH WAY  
APEX NC 27523-8520

NARREDDI, SATESH PAVAN KUMAR  
KASIREDDI, CHANDRA KALA  
620 VINE POND CT  
APEX NC 27523-8519

NARWAL, NARENDER NARWAL, VINITA  
612 VINE POND CT  
APEX NC 27523-8519

NEWTON, THOMAS JR NEWTON, AMANDA  
2500 SIDEWINDER CT  
APEX NC 27523-8503

NGUYEN, NGHI CUONG CAO, JOLENE HA  
2580 WINING BRANCH WAY  
APEX NC 27523-8520

NIKHARGE, YATEEN LAXMAN GUNDALE,  
ANUJA RAM  
726 VINE POND CT  
APEX NC 27523-8500

OVERTON, STEVEN KITCHEL-OVERTON, KARA  
JOAN  
611 VINE POND CT  
APEX NC 27523-8519

PATEL, DHARMESHKUMAR PATEL, HIMA  
2539 WINDING BRANCH TRL  
APEX NC 27523-8504

PATEL, PAREEN  
2560 WINDING BRANCH TRL  
APEX NC 27523-8504

PEABODY, SANDRA  
1513 OLD IVEY RD  
APEX NC 27523-5998

PENLEY, SARAH G PENLEY, FRED WINSTON  
1013 SUNSET MEADOWS DR  
APEX NC 27523-6742

PRAJAPATI, DHRUMIL PRAJAPATI, DEVANSHI  
721 VINE POND CT  
APEX NC 27523-8500

RAJAGOPAL, SARAVANAPERUMAL  
RENGASAMY, VIJAYALAKSHMI  
2552 WINDING BRANCH TRL  
APEX NC 27523-8504

REDDY, PRATHAP AMERVAI DEVI, RAMA  
AMERWAI  
729 VINE POND CT  
APEX NC 27523-8500

REDER, CHRISTOPHER JOSEPH REDER,  
MEGHANN ELIZABETH  
1028 SUNSET MEADOWS DR  
APEX NC 27523-6742

SANKO, ANNA  
712 VINE POND CT  
APEX NC 27523-8500

SCHULZ, JANE B  
1453 OLD IVEY RD  
APEX NC 27523-8506

SHETTY, ROHIT S SHETTY, SHARANYA R  
2543 WINDING BRANCH TRL  
APEX NC 27523-8504

SINGH, PRASHANT BAMIL, RENU  
2585 VINING BRANCH WAY  
APEX NC 27523-8520

SUBRAMANIAN, ANAND  
SIVARAMAKRISHNAN, AARTHY  
2579 WINDING BRANCH TRL  
APEX NC 27523-8504

THAKKAR, KETANKUMAR THAKKAR,  
MARGI KETANKUMAR  
627 VINE POND CT  
APEX NC 27523-8519

THE PRESERVE AT WHITE OAK CREEK  
HOMEOWNERS ASSOCIA  
15501 WESTON PKWY STE 100  
CARY NC 27513-8636

TRUNKWALA, ABBASALI TRUNKWALA,  
SHABNAM  
701 VINE POND CT  
APEX NC 27523-8500

TUNSTALL, EURA ELIZABETH  
11725 RANBURNE RD  
MINT HILL NC 28227-5647

VADHERA, GIRIK MEHRISHI, APOORVA  
2548 WINDING BRANCH TRL  
APEX NC 27523-8504

WANG, ZHAOQIANG  
2544 WINDING BRANCH TRL  
APEX NC 27523-8504

YAO, JING  
2501 SIDEWINDER CT  
APEX NC 27523-8503

YIN, JIE YANG, CHEN  
2584 VINING BRANCH WAY  
APEX NC 27523-8520

TOWN OF APEX  
PO BOX 250  
APEX NC 27502

CURRENT TENANT  
1516 OLD IVEY RD  
APEX NC 27523

CURRENT TENANT  
1524 OLD IVEY RD  
APEX NC 27523

CURRENT TENANT  
1533 OLD IVEY RD  
APEX NC 27523

CURRENT TENANT  
1537 OLD IVEY RD  
APEX NC 27523

CURRENT TENANT  
2505 SIDEWINDER CT  
APEX NC 27523

CURRENT TENANT  
775 WHITE OAK GROVE WAY  
APEX NC 27523

ALLURI, PRUDHVI KARUTURI, SRI  
HARSHITHA  
708 VINE POND CT  
APEX NC 27523-8500

AMBALAVANAN, SUBBIAH  
2564 WINDING BRANCH TRL  
APEX NC 27523-8504

APEX PROPERTIES & RENTALS LLC  
11725 RANBURNE RD  
MINT HILL NC 27227-5647

# 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.

8/10/2021

Date

Dear Neighbor:

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

1516 OLD IVEY RD, APEX, NC 27523 0722-89-3526

7620 MCQUEENS DR, APEX, NC 27523 0722-89-0666

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. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](http://www.apexnc.org/180/Planning-Community-Development) or the [Apex Development Report](http://www.apexnc.org/180/Planning-Community-Development) located on the Town of Apex website at <http://www.apexnc.org/180/Planning-Community-Development>.

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)):

Rezoning for the 8.82 acres owned by Daniel M. and Susan D. McMains.

The development will be new single family residential homes.

Estimated submittal date: September 1, 2021

## MEETING INFORMATION:

Property Owner(s) name(s):

Daniel M. and Susan D. McMains

Applicant(s):

Abdul Kamalpasha (Estates at White Oak, LLC)

Contact information (email/phone):

Jeff Roach, jroach@peakengineering.com, (919) 439-0100

Meeting Address:

Meeting held via zoom. Refer to other sheet for link

Date/Time of meeting\*\*:

August 26, 2021 @ 5:30

## MEETING AGENDA TIMES:

Welcome: 5:30

Project Presentation: 5:40-5:55

Question & Answer: 5:55-

\*\*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 and Community Development 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-Community-Development>.

# 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: Old Ivey Road Residential Zoning: RR to LD-CZ

Location: 7620 McQueen Dr, 1516 Old Ivey Rd

Property PIN(s): 0722-89-066, 0722-89-3526 Acreage/Square Feet: 8.82

Property Owner: Daniel M. and Susan D. McMains

Address: 7825 Green Level Church Rd

City: Apex State: NC Zip: 27523

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Developer: Spectrum Investment Solutions, LLC, Attn: Abdul Kamalpasha

Address: 109 Elway Drive

City: Clayton State: NC Zip: 27560

Phone: (919) 333-0701 Fax: \_\_\_\_\_ Email: kamalcat@gmail.com

Engineer: Peak Engineering & Design, attn: Jeff Roach

Address: 1125 Apex Peakway

City: Apex State: NC Zip: 27502

Phone: 919-439-0100 Fax: \_\_\_\_\_ Email: jroach@peakengineering.com

Builder (if known): unknown

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 and Community Development 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 and Greenways Planner	(919) 249-7468
Public Works - Transportation Russell Dalton, Senior Transportation Engineer	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
James Gregg, Utility Engineering Manager (Water & Sewer)	(919) 249-3324
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342



# 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. Refer to other sheet for link

Date of meeting: 8/26/2021 Time of meeting: 5:30 pm

Property Owner(s) name(s): Daniel M. and Susan D. McMains

Applicant(s): Abdul Kamalpasha (Estates at White Oak, LLC)

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. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.					
2.	A list of the residents in attendance is included within the neighborhood meeting report				
3.					
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): Daniel M. and Susan D. McMains

Applicant(s): Abdul Kamalpasha (Estates at White Oak, LLC)

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

Meeting Address: Meeting held via zoom. Refer to other sheet for link

Date of meeting: 8/26/2021 Time of meeting: 5:30 pm

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received 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:

A neighborhood meeting report is attached with the questions and answers provided.

Applicant's Response:

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Question/Concern #2:

Applicant's Response:

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Question/Concern #3:

Applicant's Response:

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Question/Concern #4:

Applicant's Response:

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# 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, Jeffrey A. Roach, do hereby declare as follows:  
Print Name

1. I have conducted a 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 Department of Planning and Community Development, all property owners and tenants abutting and within 300 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at virtual meeting (ZOOM) (location/address) on 8/26/2021 (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.

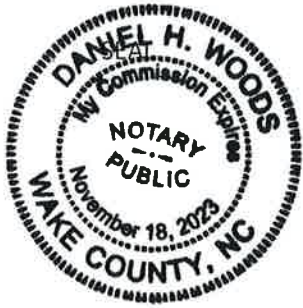
8/26/2021  
Date

By:



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 26 day of AUGUST, 2021.



Daniel H. Woods  
Notary Public  
DANIEL H. WOODS  
Print Name

My Commission Expires: 11/18/2023

**Old Ivey Road Residential  
Neighborhood Meeting for the Rezoning and Master Subdivision Plan  
5:30 pm August 26, 2021**

The ZOOM meeting for the Old Ivey Road Residential began at 5:32 pm and was hosted by Jeff Roach with Peak Engineering & Design. A brief introduction was made for everyone on the call, the participants were directed to the CHAT BOX function in ZOOM to type questions, and the virtual meeting protocol was discussed to try and keep the meeting moving along.

A project introduction was then provided, the location within Wake County GIS' website was shared for all to see. After the location of the property was identified for everyone on the call, we walked through the existing site conditions, the existing zoning, the purpose of the 2045 Land Use Plan, the current sketch plan showing the residential layout (SP-5 to be exact). Everyone was informed that the sketch plan is not a final design for the site and is used to show buffers, access points, lot locations, preliminary lot sizes, and other site-specific items for the property. Following a discussion related to the above items, the list of permitted uses was shown to all with Single Family Residential Lots being the primary (accessory apartment, utility minor, parks, and private recreation facility were also included). The discussion centered around the proposed buffers and access points.

After showing the different items, the presentation switched to address the questions which had been entered in the CHAT BOX. Below are the questions as well as a summary of the answer that was provided with each question. Additional questions were voiced by the adjacent property owners and were answered to the best of our knowledge at this point.

After answering the CHAT BOX questions, the verbal questions, and reviewing the project timeline with everyone on the call, Peak's email address and phone number was again provided to assist with any follow up questions post-meeting. The adjacent property owners dropped off the call around 6:30 pm and the ZOOM meeting was terminated around 7:30 pm.

Below is a summary of the questions and discussions which were had. There were a number of discussions which were had, many of them answering multiple questions or bringing up additional questions. This summary tries to highlight the presentation and discussions as accurately as possible. A copy of this meeting summary will be emailed to the participants once the zoning package is submitted.

**Following are the questions which were provide through the ZOOM meeting CHAT BOX features.  
Answers were provided verbally and summarized below.**

Good evening everyone. This is the chat box to type any questions you may have. This makes is easier and more orderly to ask questions and for me to record the questions/answers as well.

From bbuckingham

With the addition of these homes, would they be proposing sidewalks on Old Ivey?  
*Yes, sidewalk will be added along the property's frontage on Old Ivey Road.*

From Sanjay's

Do they have their own community center?  
*We have set aside a small area but it is likely too small to support a large pool or clubhouse.*

From bbuckingham

With the increased traffic resulting from the larger neighborhood, are there proposed changes to the intersection of Jenks or Jenks Road itself?  
*There are no proposed changes to the intersection of Old Ivey and Jenks Road.*

From Andre

The barrier states 10ft between the property. Can we increase that to 25 ft?  
*We are unable to increase the buffer to 25'. With the existing 20' buffer and proposed 10' buffer, there will be a 30' preserved area between the existing Preserve at White Oak lots and the new lots.*

From Girik

What kind of barrier/s are you going to place for privacy- Trees, fencing, etc.?  
*Landscaping is proposed to the Town's standard between uses. This includes the preservation of existing vegetation and supplementing to "fill gaps" in the existing vegetation – fences are not proposed.*

From Sanjay's

How many opening roads into Preserve at White Oak?  
*Just the one extension of Vining Branch Way into the development.*

From Devanshi

What will be total buffer between the lots on Vine Pond Ct and new community?  
How many trees will be removed? Will there be a tree buffer between this community and PWO?  
*The total buffer width will be 30' (20' existing and 10' additional between the lots). The buffers are undisturbed and only work in the area will be to supplement the existing vegetation.*

From bbuckingham

I saw online that the 2 lots across the street on Old Ivey went through Apex annexation. Is that in any way connected to this neighborhood extension? Curious if it will become a similar use.  
*The two lots on the east side of Old Ivey Road are not part of the proposed development. They have been annexed but the reason is unknow.*

From Padmabhushan Korhale

How much buffer will there be between existing houses near vining branch way house & a storm water pond? And will there be any fence around storm water pond?

*A proposed 10' buffer along with the existing 20' buffer will be adjacent to the lots and the SCM. We are looking into a fence around the top of the pond.*

From Carol Li

What is "proposed RCA on the right lower lots?"

*RCA stands for Resource Conservation Area [an explanation of RCA was then provided]*

From KT\_iPhone

Would Vinning Branch kept closed to construction traffic?

*That is the plan during construction. Once the streets are accepted, the opening of the street will be the Town's decision.*

From Eura

For those who asked about the 2 acres near the deal..NO. I am building a food forest and sanctuary for REAL FOOD. Could you please walk through how this will impact the property at 1537 Old Ivey...the 2 acre corner property?

*The project will not impact the existing 2 acres in SW corner of the proposed development (PIN 0722-89-5121) as this lot is adjacent to proposed RCA.*

Please talk through the buffers and protections my food forest and sanctuary will receive?

*Discussed the proposed site buffer and what they are.*

In addition to a sidewalk, what are the other uses the little strip along ively?

*The only items along Old Ivey is the sidewalk, curb and gutter, and improvement to ½ of the pavement section to bring it up to Town of Apex standards.*

What about mcqueens road? will there be traffic on that?

*There may be temporary construction traffic until the access to Old Ivey Road is constructed. Once the main entrance to Old Ivey is complete, McQueens Road will be abandoned/left in place for the adjacent property owner (if they want it).*

great question about mosquitoes! I always notice how FEW mosquitoes I deal with in Apex versus here in Charlotte. Probably because my 2 acres is a natural area...and enough beneficial insects exist to eat the mosquitoes. I have a good ecosystem working on that property.

From Pareen Patel

Within the 10-foot buffer that will be provided, you mentioned existing vegetation, and Type B shrubland. Is there a possibility to supplement with fast-growing privacy trees (Leyland cypress, green giant etc) to ensure privacy and the maintain the integrity of a wooded lot?

*Yes. The existing vegetation in the 10' buffer will be evaluated during Master Subdivision and Construction Document design to supplement as needed to meet the Type B standards. If evergreens are required, we will specify fast growing within the Town's "list of native species" within the development. But not Leyland cypresses.*

From bbuckingham

(Pareen, You may not want Leylands. We planted over a dozen and none survived)

But there are some nice fast growing trees that may be more disease resistant.

From Pareen Patel

Excellent point, it's the only fast-growing privacy tree I could think of from the top of my head 😊

From KT\_iPhone

What is the timeline for construction?

*Went through the entire timeline from zoning submittal, to Master Subdivision Plan, to CDs, construction and the start of home construction. The overall time line was very high level to avoid confusion.*

From Eura

**NO TO LELANDS!!!! THEY ARE NOT THE RIGHT TREES FOR NC...THEY DIE!!!! USE YAUPON HOLLIES...GREAT FOR TEA...only native tree for US with caffeine**

**lelands ALWAYS turn into EYESORES...every arborist KNOWS THIS...**

*Agree with Eura and will not specify Leylands within the development.*

From KT\_iPhone

Has a traffic study been done for impact on existing community?

*A TIA has not be completed as the project does not meet Town or NCDOT thresholds for a study.*

From bbuckingham

I like the idea of close park and fire station!

*A side conversation began with the future phases of the Preserve at White Oak, the Town's plan for a park, a future fire station, and eventually access to the American Tobacco Trail.*

From Pareen Patel

Could you go over the proposed lot sizes of the new community again?

*Reviewed the sketch plan with the neighbors from the 6,000 SF lots to the 13,000 Sf lot within the development.*

From KT\_iPhone

Who is the builder?

*A builder has not been included in the development. The buyers are going to decide if they want a "family compound" or sell to a local building or deal with Toll Brothers/Taylor Morrison next door.*

From Pareen Patel

Appreciate the info

From KT\_iPhone

Thank you! Appreciate all the answers.



**Following are questions asked after the presentation and/or during the review of the above “CHAT BOX” questions.**

A discussion was held about reasonable traffic patterns and possible cut through traffic from The Preserve at White Oak through the new development to Old Ivey Road.

*By providing multiple access points with plenty of twists and turns, no one route should be traveled by all. Stop signs and turns will also help to control traffic speed.*

**Following are emails which were received prior to or after the neighborhood meeting**

No emails were received prior to submittal to the Town of Apex for the Rezoning Package.

**OLD IVEY ROAD RESIDENTIAL  
REZONING AND MASTER SUBDIVISION NEIGHBORHOOD ATTENDANCE SHEET**

Name	Email address/contact information (if provided)	Address (if known)	City (if known)	
Ketankumar Thakker		627 Vine Pond Road	Apex, NC	
Padmabhushan Korhale		623 Vine Pond Road	Apex, NC	
Devanshi Prajapati		721 Vine Pond Road	Apex, NC	
Girik Vadehra		2548 Winding Branch Tr	Apex, NC	
Pareen Patel		2560 Winding Branch Tr	Apex, NC	
Sanjay Mohanti		2547 Winding Branch Tr	Apex, NC	
Andre Le Roux		2531 Winding Branch Tr	Apex, NC	
Hsiang Li		2535 Winding Branch Tr	Apex, NC	
Christopher Reder		1028 Sunset Meadows Dr	Apex, NC	
Brad Buckingham		7721 Jenks Road	Apex, NC	
Eura Tunstall		11725 Ranburne Rd 1533 Old Ivey Rd	Mint Hill, NC Apex, NC	
Jeff Roach Peak Engineering & Design			1125 Apex Peakway	Apex, NC
Ranjeet Agarwala		2500 Stonington Drive	Cary, NC	
Abdul Kamalpasha		101 Lonesome Pine Drive	Cary, NC	

# PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ22 Old Ivey Road Residential

Planning Board Meeting Date: November 8, 2021



## Report Requirements:

Per NCGS §160D-604(b), all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Per NCGS §160D-604(d), the Planning Board shall advise and comment on whether the proposed action is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

## PROJECT DESCRIPTION:

- Acreage:** ± 8.82  
**PIN(s):** 0722890666 & 0722893526
- Current Zoning:** Rural Residential (RR)
- Proposed Zoning:** Low Density Residential-Conditional Zoning (LD-CZ)
- 2045 Land Use Map:** Low Density Residential
- Town Limits:** ETJ

## Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

2045 Land Use Map  
 Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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Apex Transportation Plan  
 Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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Parks, Recreation, Open Space, and Greenways Plan  
 Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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# PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ22 Old Ivey Road Residential

Planning Board Meeting Date: November 8, 2021



## Legislative Considerations:

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.

1. *Consistency with 2045 Land Use Plan.* 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 Plan.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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# PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ22 Old Ivey Road Residential

Planning Board Meeting Date: November 8, 2021



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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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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.

Consistent                       Inconsistent                      Reason: \_\_\_\_\_

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PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ22 Old Ivey Road Residential

Planning Board Meeting Date: November 8, 2021



Planning Board Recommendation:

Motion: To recommend approval as presented.

Introduced by Planning Board member: Ryan Akers

Seconded by Planning Board member: Reginald Skinner

- Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.
- Approval with conditions:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above, so the following conditions are recommended to be included in the project in order to make it fully consistent:

Conditions as offered by the applicant.

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- Denial:* the project is not consistent with all applicable officially adopted plans and/or the applicable legislative considerations as noted above.

With 5\* Planning Board Member(s) voting "aye"

With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

\*NOTE: Keith Braswell was recused as he represented the property owner who sold the property to the applicant.

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This report reflects the recommendation of the Planning Board, this the 8th day of November 2021.

Attest:

**Michael Marks** Digitally signed by Michael Marks  
Date: 2021.11.09 11:12:32 -05'00'

Michael Marks, Planning Board Chair

**Dianne Khin** Digitally signed by Dianne Khin  
Date: 2021.11.08 18:01:05 -05'00'

Dianne Khin, Director of Planning and  
Community Development





**TOWN OF APEX**  
POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

**PUBLIC NOTIFICATION  
OF PUBLIC HEARINGS  
CONDITIONAL ZONING #21CZ22  
Old Ivey Road Residential**

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Ranjeet Agarwala, Estates at White Oak, LLC  
**Authorized Agent:** Jeff Roach, Peak Engineering & Design, PLLC  
**Property Addresses:** 1516 Old Ivey Road & 7620 McQueens Drive  
**Acreage:** ±8.82 acres  
**Property Identification Numbers (PINs):** 0722890666 & 0722893326  
**2045 Land Use Map Designation:** Low Density Residential  
**Existing Zoning of Properties:** Rural Residential (RR)  
**Proposed Zoning of Properties:** Low Density Residential-Conditional Zoning (LD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

**Planning Board Public Hearing Date and Time:** November 8, 2021 4:30 PM  
You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>. Please visit [www.apexnc.org](http://www.apexnc.org) on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

If you are unable to attend, you may provide a written statement by email to [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), or submit it to the clerk of the Planning Board, Amanda Bunce (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.

**Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/maps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Director of Planning and Community Development

Published Dates: October 25 – November 8, 2021



**TOWN OF APEX**  
PO BOX 250  
APEX, NORTH CAROLINA 27502  
TELEFONO 919-249-3426

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS  
ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ22  
Old Ivey Road Residential**



related documents on-line: <https://www.apexnc.org/DocumentCenter/View/36740>

Dianne F. Khin, AICP  
Director of Planning and Community Development

Published Dates: October 25 – November 8, 2021



**TOWN OF APEX**  
PO BOX 250  
APEX, NORTH CAROLINA 27502  
TELÉFONO 919-249-3426

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ22**  
Old Ivey Road Residential

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Ranjeet Agarwala, Estates at White Oak, LLC  
Agente autorizado: Jeff Roach, Peak Engineering & Design, PLLC  
Dirección de las propiedades: 1516 Old Ivey Road & 7620 McQueens Drive  
Superficie: 28.82 acres  
Números de identificación de las propiedades: 0722890666 & 0722893526  
Designación actual en el Mapa de Uso Territorial para 2045: Low Density Residential  
Ordenamiento territorial existente de las propiedades: Rural Residential (RR)  
Ordenamiento territorial propuesto para las propiedades: Low Density Residential-Conditional Zoning (LD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública de la Junta de Planificación: 8 de noviembre, 2021 4:30 P.M.**  
Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. Por favor visite [www.apexnc.org](http://www.apexnc.org) el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), o presentarla a la secretaria de la Junta de Planificación, Amanda Bunce (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps Raleigh.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 25 de Octubre- 8 de Noviembre, 2021





# TOWN OF APEX

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #21CZ22 Old Ivey Road Residential

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Planning Board of the Town of Apex. The purpose of these hearings is to consider the following:

- Applicant:** Ranjeet Agarwala, Estates at White Oak, LLC
- Authorized Agent:** Jeff Roach, Peak Engineering & Design, PLLC
- Property Addresses:** 1516 Old Ivey Road & 7620 McQueens Drive
- Acreage:** ±8.82 acres
- Property Identification Numbers (PINs):** 0722890666 & 0722893526
- 2045 Land Use Map Designation:** Low Density Residential
- Existing Zoning of Properties:** Rural Residential (RR)
- Proposed Zoning of Properties:** Low Density Residential-Conditional Zoning (LD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

**Planning Board Public Hearing Date and Time: November 8, 2021 4:30 PM**

You may attend the meeting in person or view the meeting through the Town’s YouTube livestream at: <https://www.youtube.com/c/townofapexgov>. Please visit [www.apexnc.org](http://www.apexnc.org) on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

If you are unable to attend, you may provide a written statement by email to [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), or submit it to the clerk of the Planning Board, Amanda Bunce (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Planning Board vote. You must provide your name and address for the record. The written statements will be delivered to the Planning Board prior to their vote. Please include the Public Hearing name in the subject line.

In the event that the Planning Board meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town’s YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

**A separate notice of the Town Council public hearing on this project will be mailed and posted in order to comply with State public notice requirements.**

**Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Director of Planning and Community Development





## TOWN OF APEX

PO BOX 250  
APEX, NORTH CAROLINA 27502  
TELÉFONO 919-249-3426

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ22  
Old Ivey Road Residential

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante la Junta de Planificación de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Ranjeet Agarwala, Estates at White Oak, LLC

**Agente autorizado:** Jeff Roach, Peak Engineering & Design, PLLC

**Dirección de las propiedades:** 1516 Old Ivey Road & 7620 McQueens Drive

**Superficie:** ±8.82 acres

**Números de identificación de las propiedades:** 0722890666 & 0722893526

**Designación actual en el Mapa de Uso Territorial para 2045:** Low Density Residential

**Ordenamiento territorial existente de las propiedades:** Rural Residential (RR)

**Ordenamiento territorial propuesto para las propiedades:** Low Density Residential-Conditional Zoning (LD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

### **Fecha y hora de la audiencia pública de la Junta de Planificación: 8 de noviembre, 2021 4:30 P.M.**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. Por favor visite [www.apexnc.org](http://www.apexnc.org) el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), o presentarla a la secretaria de la Junta de Planificación, Amanda Bunce (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación de la Junta de Planificación. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán a la Junta de Planificación antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

En caso de que la reunión de la Junta de Planificación se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

**De conformidad con los requisitos estatales de notificaciones públicas, se enviará por correo y se publicará por separado una notificación de la audiencia pública del Consejo Municipal sobre este proyecto.**

### **Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 25 de Octubre- 8 de Noviembre, 2021





**TOWN OF APEX**  
POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

**PUBLIC NOTIFICATION  
OF PUBLIC HEARINGS  
CONDITIONAL ZONING #21CZ22  
Old Ivey Road Residential**

Pursuant to the provisions of North Carolina General Statutes §1600-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Ranjeet Agarwala, Estates at White Oak, LLC  
**Authorized Agent:** Jeff Roach, Peak Engineering & Design, PLLC  
**Property Addresses:** 1516 Old Ivey Road & 7620 McQueens Drive  
**Acreage:** ±0.82 acres  
**Property Identification Numbers (PINs):** 0722890666 & 0722893526  
**Current 2045 Land Use Map Designation:** Low Density Residential  
**Existing Zoning of Properties:** Rural Residential (RR)  
**Proposed Zoning of Properties:** Low Density Residential-Conditional Zoning (LD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

*Comments received prior to the Planning Board public hearing will not be provided to the Town Council. Separate comments for the Town Council public hearing must be provided by the deadline specified below.*

**Town Council Public Hearing Date and Time: November 23, 2021 6:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/hownofapexgov>. Please visit [www.apexnc.org](http://www.apexnc.org) on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

If you are unable to attend, you may provide a written statement by email to [public\\_hearing@apexnc.org](mailto:public_hearing@apexnc.org), or submit it to the Deputy Town Clerk, Tessa Silver (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council members prior to their vote. Please include the Public Hearing name in the subject line.

In the event that the Town Council meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/hownofapexgov>.

**Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.reisignc.gov/maps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Director of Planning and Community Development

Published Dates: November 1-November 23, 2021



**TOWN OF APEX**  
PO BOX 250  
APEX, NORTH CAROLINA 27502  
TELEFONO 919-249-3426

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ22**  
Old Ivey Road Residential

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §1600-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Ranjeet Agarwala, Estates at White Oak, LLC  
**Agente autorizado:** Jeff Roach, Peak Engineering & Design, PLLC  
**Dirección de las propiedades:** 1516 Old Ivey Road & 7620 McQueens Drive  
**Superficie:** 28.82 acres  
**Números de identificación de las propiedades:** 0722890666 & 0722893526  
**Designación actual en el Mapa de Uso Territorial para 2045:** Low Density Residential  
**Ordenamiento territorial existente de las propiedades:** Rural Residential (RR)  
**Ordenamiento territorial propuesto para las propiedades:** Low Density Residential-Conditional Zoning (LD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

*Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado o continuación.*

**Fecha y hora de la audiencia pública del Consejo Municipal:** 23 de noviembre, 2021 6:00 P.M.  
Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. Por favor visite [www.apexnc.org](http://www.apexnc.org) el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a [publichearings@apexnc.org](mailto:publichearings@apexnc.org) o presentarla a la secretaria municipal adjunta, Teza Silver (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

En caso de que la reunión del Consejo Municipal se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

**Mapa de las inmediaciones:**



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps Raleighnc.gov/maps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/473](http://www.apexnc.org/DocumentCenter/View/473). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Directora de Planificación y Desarrollo Comunitario

Fechas de publicación: 1 de Noviembre - 23 de Noviembre, 2021





## TOWN OF APEX

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #21CZ22 Old Ivey Road Residential

Pursuant to the provisions of North Carolina General Statutes §160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.11, notice is hereby given of public hearings before the Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

**Applicant:** Ranjeet Agarwala, Estates at White Oak, LLC  
**Authorized Agent:** Jeff Roach, Peak Engineering & Design, PLLC  
**Property Addresses:** 1516 Old Ivey Road & 7620 McQueens Drive  
**Acreage:** ±8.82 acres  
**Property Identification Numbers (PINs):** 0722890666 & 0722893526  
**Current 2045 Land Use Map Designation:** Low Density Residential  
**Existing Zoning of Properties:** Rural Residential (RR)  
**Proposed Zoning of Properties:** Low Density Residential-Conditional Zoning (LD-CZ)

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

***Comments received prior to the Planning Board public hearing will not be provided to the Town Council. Separate comments for the Town Council public hearing must be provided by the deadline specified below.***

### **Town Council Public Hearing Date and Time: November 23, 2021 6:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>. Please visit [www.apexnc.org](http://www.apexnc.org) on the day of the meeting to confirm whether the meeting will be held in-person or remotely.

If you are unable to attend, you may provide a written statement by email to [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), or submit it to the Deputy Town Clerk, Tesa Silver (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council members prior to their vote. Please include the Public Hearing name in the subject line.

In the event that the Town Council meeting is held remotely or with at least one member attending virtually, written comments may be submitted up to 24 hours prior to the scheduled time of the meeting per NCGS §166A-19.24 according to the methods specified above. Virtual meetings may be viewed via the Town's YouTube livestream at <https://www.youtube.com/c/townofapexgov>.

### **Vicinity Map:**



Property owners, tenants, and neighborhood associations within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online at <https://maps.raleighnc.gov/imaps>. The 2045 Land Use Map may be viewed online at [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP  
Director of Planning and Community Development





## TOWN OF APEX

PO BOX 250  
APEX, NORTH CAROLINA 27502  
TELÉFONO 919-249-3426

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #21CZ22

Old Ivey Road Residential

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del ayuntamiento de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

**Solicitante:** Ranjeet Agarwala, Estates at White Oak, LLC

**Agente autorizado:** Jeff Roach, Peak Engineering & Design, PLLC

**Dirección de las propiedades:** 1516 Old Ivey Road & 7620 Mcqueens Drive

**Superficie:** ±8.82 acres

**Números de identificación de las propiedades:** 0722890666 & 0722893526

**Designación actual en el Mapa de Uso Territorial para 2045:** Low Density Residential

**Ordenamiento territorial existente de las propiedades:** Rural Residential (RR)

**Ordenamiento territorial propuesto para las propiedades:** Low Density Residential-Conditional Zoning (LD-CZ)

**Lugar de la audiencia pública:** Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

***Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.***

**Fecha y hora de la audiencia pública del Consejo Municipal: 23 de noviembre, 2021 6:00 P.M.**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>. Por favor visite [www.apexnc.org](http://www.apexnc.org) el día de la reunión para confirmar si la reunión se llevará a cabo de manera presencial o remotamente.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), o presentarla a la secretaria municipal adjunta, Tesa Silver (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

En caso de que la reunión del Consejo Municipal se lleve a cabo remotamente o que por lo menos uno de los miembros asista virtualmente, se permite presentar comentarios por escrito hasta 24 horas antes de la hora programada de la reunión según los estatutos de Carolina del Norte NCGS §166A-19.24 siguiendo los métodos especificados anteriormente. Las reuniones virtuales se pueden seguir en la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

### Mapa de las inmediaciones:



Los propietarios, inquilinos y asociaciones de vecinos en un radio de 300 pies del Ordenamiento Territorial Condicional propuesto han recibido esta notificación por correo postal de primera clase. Todas las partes interesadas pueden presentar comentarios sobre la solicitud a través de los medios especificados anteriormente. La ubicación de la propiedad también puede verse aquí: <https://maps.raleighnc.gov/imaps>. Puede ver el Mapa de Uso Territorial para 2045 aquí: [www.apexnc.org/DocumentCenter/View/478](http://www.apexnc.org/DocumentCenter/View/478). Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación y Desarrollo Comunitario al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/36740>.

Dianne F. Khin, AICP

Directora de Planificación y Desarrollo Comunitario





Rezoning #21CZ22

Our Estate

Vining Branch Way

Tunstall Grove Dr

Vine Pond Ct

1516

1524

Mcqueens Dr

The Preserve at  
White Oak Creek

Sidewinder Ct

Old Ivey Rd

Jenks Rd

Sunset Meadows Dr

Caitlin Pond

Public Hearing Sign Posted By

Signature

9/14/21

Date

0 250 500

Feet

September 2021

May 2021 Aerial Photography

Prepared by: Town of Apex Planning Department





**TOWN OF APEX**

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

**AFFIDAVIT CERTIFYING  
Public Notification – Written (Mailed) Notice**  
Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #21CZ22  
Old Ivey Road Residential  
Project Location: 1516 Old Ivey Road & 7620 McQueens Drive  
Applicant or Authorized Agent: Estates at White Oak, LLC/Jeff Roach, Peak Engineering & Design, PLLC  
Firm: Peak Engineering & Design, LLC

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on October 25, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

10/25/2021  
Date

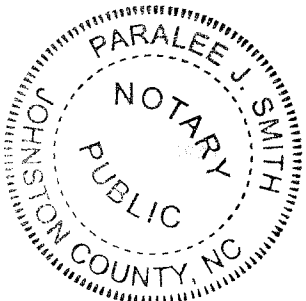
*Shianne F. Khan*  
Director of Planning and Community Development

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Paralee J Smith, a Notary Public for the above  
State and County, this the 25 day of October, 2021.

*Paralee J Smith*  
Notary Public

My Commission Expires: 9 / 12 / 2023







**TOWN OF APEX**

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

**AFFIDAVIT CERTIFYING  
Public Notification – Written (Mailed) Notice**

Section 2.2.11  
Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #21CZ22  
Old Ivey Road Residential  
Project Location: 1516 Old Ivey Road & 7620 McQueens Drive  
Applicant or Authorized Agent: Estates at White Oak, LLC/Jeff Roach, Peak Engineering & Design, PLLC  
Firm: Peak Engineering & Design, LLC

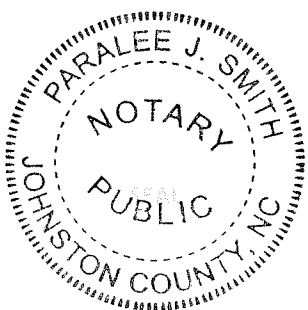
This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on November 1, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners and tenants within 300' of the land subject to notification. I further certify that I relied on information from the Wake County Tax Assessor and the Town of Apex Master Address Repository provided to me by Town of Apex GIS Staff as to accuracy of the list and accuracy of mailing addresses of property owners and tenants within 300' of the land subject to notification.

11/1/2021  
Date

*Khanh F. Khan*  
Director of Planning and Community Development

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Paralee J. Smith, a Notary Public for the above  
State and County, this the 1 day of November, 2021.



*Paralee J. Smith*  
Notary Public

My Commission Expires: 9 / 12 / 2023



**WAKE COUNTY  
PUBLIC SCHOOL SYSTEM**

**Glenn Carrozza**  
5625 Dillard Drive  
Cary, NC, 27518  
studentassignment@wcpss.net

tel: (919) 431-7333  
fax: (919) 694-7753

October 8, 2021

Dianne Khin, AICP  
Director, Department of Planning and Community Development  
Town of Apex  
[Dianne.Khin@apexnc.org](mailto:Dianne.Khin@apexnc.org)

Dear Dianne,

The Wake County Public School System (WCPSS) Office of School Assignment received information about a proposed rezoning/development within the Town of Apex planning area. We are providing this letter to share information about WCPSS’s capacity related to the proposal. The following information about the proposed rezoning/development was provided through the Wake County Residential Development Notification database:

- Date of application: September 1, 2021
- Name of development: 21CZ22 Old Ivey Rd Residential
- Address of rezoning/development: 1516 Old Ivey Rd & 7620 McQueens Dr.
- Total number of proposed residential units: 26
- Type(s) of residential units proposed: Single-family detached

Based on the information received at the time of application, the Office of School Assignment is providing the following assessment of possible impacts to the Wake County Public School System:

- Schools at all grade levels within the current assignment area for the proposed rezoning/development are anticipated to have sufficient capacity for future students.
- Schools at the following grade levels within the current assignment area for the proposed rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated:
  - Elementary                       Middle                       High

The following mitigation of capacity concerns due to school construction or expansion is anticipated:

- Not applicable – existing school capacity is anticipated to be sufficient.
- School expansion or construction within the next five years is not anticipated to address concerns.
- School expansion or construction within the next five years may address concerns at these grade levels:
  - Elementary                       Middle                       High

Thank you for sharing this information with the Town of Apex Planning Board and Town Council as they consider the proposed rezoning/development.

Sincerely,  
*Glenn Carrozza*  
Glenn Carrozza