

Rezoning #21CZ28

CHATHAM COUNTY

NEW HILL OAK CHAPEL RD

BARN RD

LOVAGE DR

BUTTERFLY PL

Deer Creek

Retreat at Cedar Crossing



November 13, 2021 Aerial Photography



Prepared by
Town of Apex
Department of Planning
and Community Development
November 2021

PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #:	<u>21CZ28</u>	Submittal Date:	<u>10/1/2021</u>
Fee Paid	<u>\$ 600</u>	Check #	<u>Visa</u>

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Cedar Crossing PUD Amendment

Address(es): See Attached

PIN(s) _____

Acreage: 36.54

Current Zoning: PUD-CZ Proposed Zoning: PUD-CZ

Current 2045 LUM Designation: Low Density Residential

Requested 2045 LUM Designation: Low Density Residential

See next page for LUM amendment

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

Area classified as mixed use: Acreage: N/A

Area proposed as non-residential development: Acreage: N/A

Percent of mixed use area proposed as non-residential: Percent: N/A

Applicant Information

Name: TOLL SOUTHEAST LP COMPANY INC

Address: 250 GIBRALTAR RD

City: HORSHAM State: PA Zip: 19044

Phone: _____ E-mail: _____

Owner Information

Name: TOLL SOUTHEAST LP COMPANY INC

Address: 250 GIBRALTAR RD

City: HORSHAM State: PA Zip: 19044

Phone: _____ E-mail: _____

Agent Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Other contacts: Nil Ghosh - Morningstar Law Group - nghosh@morningstarlawgroup.com

Jason Barron - Morningstar Law Group - jbarron@morningstarlawgroup.com



Nil Ghosh | Associate
421 Fayetteville St | Ste 530
Raleigh, NC 27601
919-590-0362
nghosh@morningstarlawgroup.com
www.morningstarlawgroup.com

December 22, 2021

Shelly Mayo
Planner II
Town of Apex

RE: Cedar Crossing PUD Amendment

Dear Shelly Mayo:

This letter is to inform you of the intent of the proposed PUD Amendment for the above-captioned project. The intent of this PUD amendment is to amend Rezoning Case #18CZ12 Olive Glen PUD in the following ways:

- A. Allowing the required play lawn to be developed as an active amenity provided that:
 - a. Mulch walking paths are incorporated into the design of the amenity
 - b. A wildflower garden, community garden, or native pollinator demonstration garden is included within the amenity
 - c. Within the amenity area, the developer shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator food and host plant sources, including plants that bloom in succession from spring to fall.
 - d. The amenity includes at least one (1) pet waste station
 - e. Any lighting installed within the amenity area shall use full cutoff LED fixtures that have a maximum color temperature of 3000K and include light timers, motion sensors, or other smart lighting technology.
 - f. No additional parking shall be required for the proposed amenity courts. The parking spaces at the mail kiosk may be used to access the proposed courts.
- B. A change to the timing of greenway construction in Section 12:
 - a. All approved public greenway trails must be completed at the point that ~~twenty five percent (25%)~~ fifty percent (50%) of the building permits for the total number of residential units in the Olive Glen PUD have been issued.
- C. A change to the architectural conditions contained in Section 7 of the PUD but only modified for Lot 37 (1353 Mascoma Drive) of the subdivision:
 - a. The garage cannot protrude more than 1 foot out from the front façade or front porch, except with respect to Lot 37 (Wake County PIN 0712-62-4275, 1353 Mascoma Drive) which shall not protrude more than 5 feet out from the front façade or front porch.

No further changes are proposed. This encompasses the entire scope of the proposed amendment.

Respectfully,

Nil Ghosh | Associate
Morningstar Law Group

Site Address	PIN	Owner
1208 BLUE MIST CT	0712-52-4596	TOLL SOUTHEAST LP COMPANY INC
1216 BLUE MIST CT	0712-52-5446	TOLL SOUTHEAST LP COMPANY INC
1220 BLUE MIST CT	0712-52-5451	TOLL SOUTHEAST LP COMPANY INC
1212 BLUE MIST CT	0712-52-5521	TOLL SOUTHEAST LP COMPANY INC
1204 BLUE MIST CT	0712-52-5615	TOLL SOUTHEAST LP COMPANY INC
1201 BLUE MIST CT	0712-52-5688	TOLL SOUTHEAST LP COMPANY INC
3528 OLIVE GLEN DR	0712-52-6489	TOLL SOUTHEAST LP COMPANY INC
1205 BLUE MIST CT	0712-52-6677	TOLL SOUTHEAST LP COMPANY INC
3524 OLIVE GLEN DR	0712-52-7531	TOLL SOUTHEAST LP COMPANY INC
3520 OLIVE GLEN DR	0712-52-7584	TOLL SOUTHEAST LP COMPANY INC
1209 BLUE MIST CT	0712-52-7611	TOLL SOUTHEAST LP COMPANY INC
0 OLIVE GLEN DR	0712-52-8217	TOLL SOUTHEAST LP COMPANY INC
3525 OLIVE GLEN DR	0712-52-8304	TOLL SOUTHEAST LP COMPANY INC
3521 OLIVE GLEN DR	0712-52-8347	TOLL SOUTHEAST LP COMPANY INC
3517 OLIVE GLEN DR	0712-52-8490	TOLL SOUTHEAST LP COMPANY INC
3516 OLIVE GLEN DR	0712-52-8527	TOLL SOUTHEAST LP COMPANY INC
3512 OLIVE GLEN DR	0712-52-8569	TOLL SOUTHEAST LP COMPANY INC
0 OLIVE GLEN DR	0712-52-8770	TOLL SOUTHEAST LP COMPANY INC
3510 TUFTONBORO LN	0712-52-9114	TOLL SOUTHEAST LP COMPANY INC
1314 MASCOMA DR	0712-52-9246	TOLL SOUTHEAST LP COMPANY INC
1318 MASCOMA DR	0712-52-9271	TOLL SOUTHEAST LP COMPANY INC
1310 MASCOMA DR	0712-52-9310	TOLL SOUTHEAST LP COMPANY INC
3508 OLIVE GLEN DR	0712-52-9612	TOLL SOUTHEAST LP COMPANY INC
3504 OLIVE GLEN DR	0712-52-9665	TOLL SOUTHEAST LP COMPANY INC
1322 MASCOMA DR	0712-62-0118	TOLL SOUTHEAST LP COMPANY INC
1311 MASCOMA DR	0712-62-0349	TOLL SOUTHEAST LP COMPANY INC
1315 MASCOMA DR	0712-62-0385	TOLL SOUTHEAST LP COMPANY INC

3500 OLIVE GLEN DR	0712-62-0625	TOLL SOUTHEAST LP COMPANY INC
0 TUFTONBORO LN	0712-62-1013	TOLL SOUTHEAST LP COMPANY INC
1332 MASCOMA DR	0712-62-1088	TOLL SOUTHEAST LP COMPANY INC
1328 MASCOMA DR	0712-62-1121	TOLL SOUTHEAST LP COMPANY INC
1323 MASCOMA DR	0712-62-1279	TOLL SOUTHEAST LP COMPANY INC
1319 MASCOMA DR	0712-62-1332	TOLL SOUTHEAST LP COMPANY INC
1336 MASCOMA DR	0712-62-2037	TOLL SOUTHEAST LP COMPANY INC
1340 MASCOMA DR	0712-62-2097	TOLL SOUTHEAST LP COMPANY INC
1329 MASCOMA DR	0712-62-2216	TOLL SOUTHEAST LP COMPANY INC
1335 MASCOMA DR	0712-62-2264	TOLL SOUTHEAST LP COMPANY INC
1341 MASCOMA DR	0712-62-3224	TOLL SOUTHEAST LP COMPANY INC
1345 MASCOMA DR	0712-62-3274	TOLL SOUTHEAST LP COMPANY INC
1346 MASCOMA DR	0712-62-4007	TOLL SOUTHEAST LP COMPANY INC
1350 MASCOMA DR	0712-62-4057	TOLL SOUTHEAST LP COMPANY INC
1349 MASCOMA DR	0712-62-4224	TOLL SOUTHEAST LP COMPANY INC
1353 MASCOMA DR	0712-62-4275	TOLL SOUTHEAST LP COMPANY INC
1354 MASCOMA DR	0712-62-5006	TOLL SOUTHEAST LP COMPANY INC
1358 MASCOMA DR	0712-62-5076	TOLL SOUTHEAST LP COMPANY INC
1357 MASCOMA DR	0712-62-5228	TOLL SOUTHEAST LP COMPANY INC
1361 MASCOMA DR	0712-62-5296	TOLL SOUTHEAST LP COMPANY INC
1362 MASCOMA DR	0712-62-6132	TOLL SOUTHEAST LP COMPANY INC
1366 MASCOMA DR	0712-62-6241	TOLL SOUTHEAST LP COMPANY INC
0 MASCOMA DR	0712-62-8045	TOLL SOUTHEAST LP COMPANY INC
433 NEW HILL OLIVE CHAPEL RD	0712-72-0377	TOLL SOUTHEAST LP COMPANY INC

AGENT AUTHORIZATION FORM

Application #: 21CZ28

Submittal Date: 10/1/2021

TOLL SOUTHEAST LP COMPANY INC 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: 433 New Hill Olive Chapel Road

The agent for this project is: Peter Bellantoni

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

Agent Name: _____

Address: _____

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*



Peter Bellantoni
Type or print name

10/01/21
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 #: 21CZ28

Submittal Date: 10/1/2021

The undersigned, Peter Bellantoni (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 The Retreat at Cedar Crossing 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 11/1/19, and recorded in the Wake County Register of Deeds Office on 11/1/19, in Book 17636 Page 236.
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 11/1/19, 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 11/1/19, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 1st day of October, 2021.

Peter Bellantoni (seal)

Peter Bellantoni

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 Peter Bellantoni, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Janet R. Bowsher
Notary Public
State of North Carolina
My Commission Expires: 3/28/22

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

Submittal Date:

Insert legal description below.

Beginning at point on the Eastern R/W of New Hill Olive Chapel Rd. (NCSR 1141) said point having N.C. grid coordinates of N=722, 750.40' & E= 2,015,345.55' (NAD 1983/2011); Thence runs S 87-05'9"E 557.15 to an existing iron pipe; thence runs S 87-05'-19"E 1,968.13'to an existing iron pipe; thence runs S 03 50'9"W 691.17'to a 1" iron rod; thence runs N 87-29'-17" W 295.62' to an existing iron pipe; thence runs N 87-11' -53"W 1,288.09' to an existing iron pipe; thence runs N 31-28'-20"W 264.47' to an existing iron pipe; thence runs N 30-09'-25"W 120.72' to an existing iron pipe; thence runs S 74-44'8"W 274.56' to an iron pipe set on the Eastern R/W of New Hill Olive Chapel Rd. Thence runs S 74-44' -08"W 30.01' to a point in the center of said road; thence along the center of the road the following metes and bounds; N 17- 01'-11"W 71.24', N 16-54'-33"W 59.95', N 16-24'-45"W 77.83', N 15-37-49"W 75.88', N 13-54'-11"W 88.47', N 12-22'-56"W 94.89', N 09-54'-29"W 27.08' to a point on the centerline; thence leaving said centerline S 87-05' -19"E 30. 77' to the point and place of beginning. This tract contains 1,591,790 sq. ft. or 36.54 acres all according to a survey by Barry L. Scott, PLS dated 04-19-2018.

First Neighborhood Meeting
August 30, 2021

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.

8/13/2021

Date

Dear Neighbor:

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

See Attached

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](#) or the [Apex Development Report](#) 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 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)):

We propose to amend the existing PUD to reduce the size of the required play lawn area for this age-restricted community and increase the community's amenity area. No other changes are proposed.

Estimated submittal date: September 1

MEETING INFORMATION:

Property Owner(s) name(s): Toll Southeast LP Company Inc.

Applicant(s): Toll Southeast LP Company Inc.

Contact information (email/phone): jbarron@morningstarlawgroup.com/919-590-0371

Meeting Address: https://bit.ly/mlg08302021mtg

Date/Time of meeting**: August 30th, 2021, 6:00 PM - 8:00 PM

MEETING AGENDA TIMES:

Welcome: 6:00 PM Project Presentation: 6:02 PM Question & Answer: 6:05 PM

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning 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>.

Site Address	PIN
1208 BLUE MIST CT	0712-52-4596
0 OLIVE GLEN DR	0712-52-5372
1216 BLUE MIST CT	0712-52-5446
1220 BLUE MIST CT	0712-52-5451
1212 BLUE MIST CT	0712-52-5521
1204 BLUE MIST CT	0712-52-5615
1201 BLUE MIST CT	0712-52-5688
3528 OLIVE GLEN DR	0712-52-6489
1205 BLUE MIST CT	0712-52-6677
3524 OLIVE GLEN DR	0712-52-7531
3520 OLIVE GLEN DR	0712-52-7584
1209 BLUE MIST CT	0712-52-7611
0 OLIVE GLEN DR	0712-52-8217
3525 OLIVE GLEN DR	0712-52-8304
3521 OLIVE GLEN DR	0712-52-8347
3517 OLIVE GLEN DR	0712-52-8490
3516 OLIVE GLEN DR	0712-52-8527
3512 OLIVE GLEN DR	0712-52-8569
0 OLIVE GLEN DR	0712-52-8770
1314 MASCOMA DR	0712-52-9246
1318 MASCOMA DR	0712-52-9271
1310 MASCOMA DR	0712-52-9310
3508 OLIVE GLEN DR	0712-52-9612
3504 OLIVE GLEN DR	0712-52-9665
1311 MASCOMA DR	0712-62-0349
1315 MASCOMA DR	0712-62-0385
3500 OLIVE GLEN DR	0712-62-0625
433 NEW HILL OLIVE CHAPEL RD	0712-62-9321

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: Olive Glen PUD Amendment Zoning: PUD-CZ
 Location: New Hill Olive Chapel Road at Olive Glen Drive
 Property PIN(s): See attached Acreage/Square Feet: _____

Property Owner: Toll Southeast LP Company Inc.
 Address: 250 Gibraltar Rd
 City: Horsham State: PA Zip: 19044
 Phone: _____ Email: _____

Developer: Toll Southeast LP Company Inc.
 Address: 250 Gibraltar Rd
 City: Horsham State: PA Zip: 19044
 Phone: _____ Fax: _____ Email: _____

Engineer: Justin Brown - Eastern States Engineering
 Address: 900 Perimeter Park Drive, Suite B3
 City: Morrisville State: NC Zip: 27560
 Phone: _____ Fax: _____ Email: _____

Builder (if known): Toll Southeast LP Company Inc.
 Address: 250 Gibraltar Rd
 City: Horsham State: PA Zip: 19044
 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

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

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

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

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

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

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

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

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

Stormwater Control Measures:	Jessica Bolin	919-249-3537
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Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

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

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: Virtual per Town's Requirements
 Date of meeting: August 30, 2021 Time of meeting: 6:00pm-8:00pm
 Property Owner(s) name(s): Toll Southeast LP Company, Inc
 Applicant(s): Toll Southeast LP Company, Inc

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	William & Stefanie Jackson	501 New Hill Olive Chapel Rd			
2.	Jason Barron, Morningstar Law Group	421 Fayetteville St, Ste 530 Raleigh			
3.	Peter Bellantoni	900B Perimeter Park Dr			
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): Toll Southeast LP Company, Inc

Applicant(s): Toll Southeast LP Company, Inc

Contact information (email/phone): jbarron@morningstarlawgroup.com / 919.590.0371

Meeting Address: Virtual per Town's Requirements

Date of meeting: August 30, 2021 Time of meeting: 6:00 PM to 8:00 PM

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

Question/Concern #1:

will this affect timing of development

Applicant's Response:

No, it will not

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

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

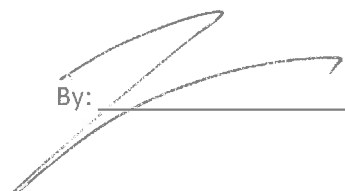
This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, Jason Barron, do hereby declare as follows:

Print Name

1. I have conducted an Electronic Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Electronic Neighborhood Meeting.
3. The meeting was conducted via Virtual per Town's Requirements (indicate format of meeting) on August 30, 2021 (date) from 530pm (start time) to 730pm (end time).
4. I have included the mailing list, meeting invitation, attendance sheet issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

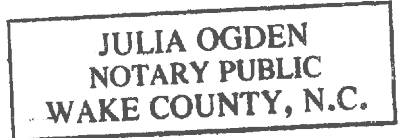
10/1/21
Date


By: 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 1 day of October, 2021.

SEAL




Notary Public
Julia Ogden
Print Name

My Commission Expires: April 21, 2024

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: _____

Submittal Date: _____

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

	Owner's Name	PIN
1.	LIST PROVIDED BY TOWN	
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

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

Date: 10/1/21

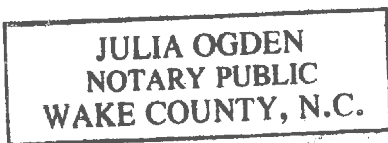
By: [Signature]

COUNTY OF WAKE STATE OF NORTH CAROLINA

Sworn and subscribed before me, Julia Ogden, a Notary Public for the above State and County, on this the 1 day of October, 2021.

[Signature]
Notary Public
Julia Ogden
Print Name

SEAL



My Commission Expires: April 21, 2024

Second Neighborhood Meeting
December 20, 2021

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

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

12/6/21

Date

Dear Neighbor:

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

Address(es)

PIN(s)

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

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

Application Type		Approving Authority
<input checked="" type="radio"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="radio"/>	Major Site Plan	Town Council (QJPH*)
<input type="radio"/>	Special Use Permit	Town Council (QJPH*)
<input type="radio"/>	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)):

We are having a second neighborhood meeting to discuss the changes to the play lawn area for this

age-restricted community. Additionally, we are changing one architectural commitment with respect to a

single lot (Lot 37) which already is under construction. The garage will extend 5-ft beyond the front porch instead of 1-ft on that lot only.

Estimated submittal date: Submitted October 1

MEETING INFORMATION:

Property Owner(s) name(s): Toll Southeast LP Company, Inc.

Applicant(s): Toll Southeast LP Company, Inc.

Contact information (email/phone): jbarron@morningstarlawgroup.com/919-590-0371

Electronic Meeting invitation/call in info: https://morningstarlaw.group/12202021mtg

Date of meeting**: 12/20/21

Time of meeting**: 5PM - 7PM

MEETING AGENDA TIMES:

Welcome: 5:00 PM Project Presentation: 5:02 PM Question & Answer: 5:05 PM

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

Site Address	PIN
1208 BLUE MIST CT	0712-52-4596
0 OLIVE GLEN DR	0712-52-5372
1216 BLUE MIST CT	0712-52-5446
1220 BLUE MIST CT	0712-52-5451
1212 BLUE MIST CT	0712-52-5521
1204 BLUE MIST CT	0712-52-5615
1201 BLUE MIST CT	0712-52-5688
3528 OLIVE GLEN DR	0712-52-6489
1205 BLUE MIST CT	0712-52-6677
3524 OLIVE GLEN DR	0712-52-7531
3520 OLIVE GLEN DR	0712-52-7584
1209 BLUE MIST CT	0712-52-7611
0 OLIVE GLEN DR	0712-52-8217
3525 OLIVE GLEN DR	0712-52-8304
3521 OLIVE GLEN DR	0712-52-8347
3517 OLIVE GLEN DR	0712-52-8490
3516 OLIVE GLEN DR	0712-52-8527
3512 OLIVE GLEN DR	0712-52-8569
0 OLIVE GLEN DR	0712-52-8770
1314 MASCOMA DR	0712-52-9246
1318 MASCOMA DR	0712-52-9271
1310 MASCOMA DR	0712-52-9310
3508 OLIVE GLEN DR	0712-52-9612
3504 OLIVE GLEN DR	0712-52-9665
1311 MASCOMA DR	0712-62-0349
1315 MASCOMA DR	0712-62-0385
3500 OLIVE GLEN DR	0712-62-0625
433 NEW HILL OLIVE CHAPEL RD	0712-62-9321

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: Olive Glen PUD Amendment Zoning: PUD-CZ

Location: New Hill Olive Chapel Road at Olive Glen Drive

Property PIN(s): See attached Acreage/Square Feet: _____

Property Owner: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Email: _____

Developer: Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

Phone: _____ Fax: _____ Email: _____

Engineer: Justin Brown - Eastern States Engineering

Address: 900 Perimeter Park Drive, Suite B3

City: Morrisville State: NC Zip: 27560

Phone: _____ Fax: _____ Email: _____

Builder (if known): Toll Southeast LP Company Inc.

Address: 250 Gibraltar Rd

City: Horsham State: PA Zip: 19044

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

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

Noise & Hours of Construction: Non-Emergency Police 919-362-8661

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

Construction Traffic: James Misciagno 919-372-7470

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

Road Damage & Traffic Control: Water Resources – Infrastructure Inspections 919-362-8166

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

Parking Violations: Non-Emergency Police 919-362-8661

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

Dirt in the Road: James Misciagno 919-372-7470

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

Dirt on Properties or in Streams: James Misciagno 919-372-7470 Danny Smith Danny.Smith@ncdenr.gov

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

Dust: James Misciagno 919-372-7470

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

Trash: James Misciagno 919-372-7470

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

Temporary Sediment Basins: James Misciagno 919-372-7470

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

Stormwater Control Measures: Jessica Bolin 919-249-3537

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported to Jessica Bolin at 919-249-3537.

Electric Utility Installation: Rodney Smith 919-249-3342

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

FOR REVIEW ONLY

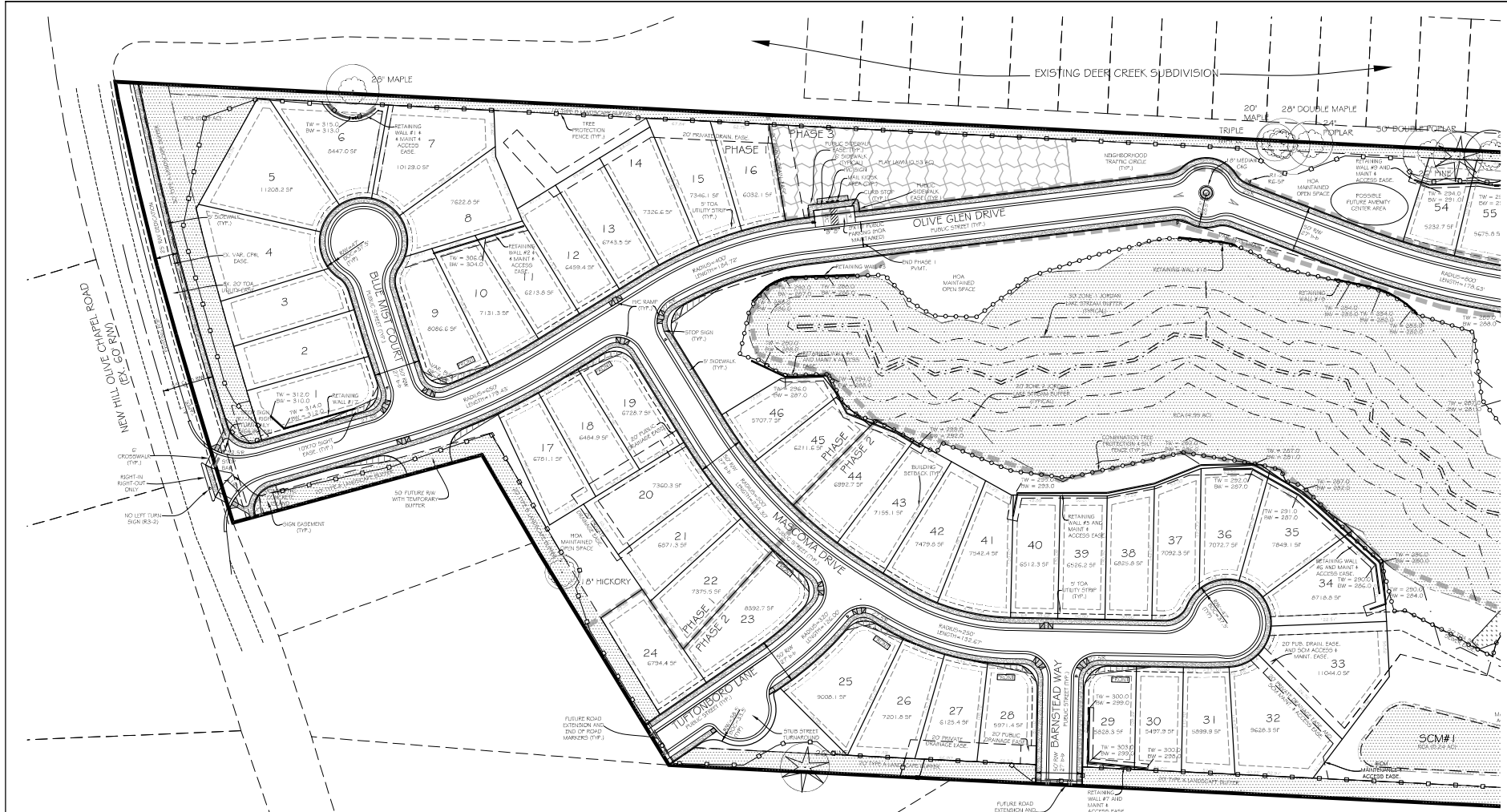
RETREAT AT CEDAR CROSSING
MASTER SUBDIVISION PLAN
PRELIMINARY LOT LAYOUT PLAN 1

TOWN OF APEX
FDC

FEBRUARY 1, 2019

2/25/19	1ST TRC
2/26/19	2ND TRC
3/26/19	HPV REV. 144
2/27/20	HPV REV. 144
2/26/20	HPV REV. 2nd

6
2022



TOWN OF APEX REQUIRED PLAN NOTES:

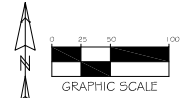
- NO SITE DEVELOPMENT ACTIVITY INCLUDING, BUT NOT LIMITED TO, TESTING, CLEARING, INSTALLATION OF S&P MEASURES, OR GRADING SHALL OCCUR UNTIL REQUIRED TREE PROTECTION FENCING HAS BEEN INSTALLED AND INSPECTED. A TREE PROTECTION FENCING INSTALLATION PLAN MAY BE OBTAINED AT THE PLANNING DEPARTMENT OR ONLINE AT WWW.APEX.ORG/CONSTRUCTION/REGULATIONS/NOTICES.
- TREE PROTECTION FENCING MUST BE PLACED:
 - ONE FOOT FROM ANY MAINTAINED TREE FOR EACH INCH OF DIAMETER AT 4.5 FEET HEIGHT.
 - ALONG THE OUTSIDE LINE OF THE 100-YEAR FLOODPLAIN AND THE OUTSIDE EDGE OF ANY RIPARIAN BUFFER, AND
 - AT LEAST 10 FEET AWAY FROM ANY OTHER DESIGNATED PCA SUCH AS, BUT NOT LIMITED TO, HISTORIC BUILDINGS AND STRUCTURES, METALS, AND PONDS.
- ADDITIONAL TREE PROTECTION FENCING MAY BE REQUIRED IN OTHER LOCATIONS CLOSE TO CONSTRUCTION ACTIVITY WHERE IT IS DEEMED NECESSARY BY THE ZONING ENFORCEMENT OFFICER; SUCH AREAS MAY INCLUDE, BUT NOT BE LIMITED TO, COMMON PROPERTY LINES OR NEAR PUBLIC AREAS (COURTYARDS, ETC.).
- IF BUILDINGS ARE TO BE DEVELOPED, A COPY OF THE DEVELOPMENT NOTIFICATION FROM THE NC HEALTH HAZARD CONTROL UNIT AND AN ASBESTOS INSPECTION REPORT FROM A NC ACCREDITED ASBESTOS INSPECTOR MUST ACCOMPANY THE APPLICATION FOR THE DEVELOPMENT PERMIT WHICH MUST BE OBTAINED PRIOR TO START OF THE DEVELOPMENT.
- ALL GRADING AND SUPPORT STRUCTURES ASSOCIATED WITH ANY RETAINING STRUCTURE SHALL NOT ENDOSE INTO ANY REQUIRED BUFFER OR PROTECTED AREA (I.E. PCA, THE ORIGINAL CRITICAL ZONES OF TREES, PUBLIC UTILITY FACILITIES AND RIGHTS-OF-WAY, AND SHALL BE CONTAINED ENTIRELY ON SITE.
- SITE ELEMENTS REQUIRED TO SATISFY REGULATORY REQUIREMENTS SUCH AS, BUT NOT LIMITED TO, PLAY FIELDS, GREENWAY TRAILS AND ITEMS TYPICALLY ASSOCIATED WITH THEM (BENCHES, TRASH CONTAINERS, SIGNS, ETC.) MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APEX TOWN OF APEX STANDARD SPECIFICATIONS AND STANDARD DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX FINES AND RECREATION DEPARTMENT.
- THE SCREENING OF LOADING DOCKS, ROLL-OUT CONTAINERS, DUMPSTERS, OUTDOOR STORAGE, MECHANICAL AND HVAC EQUIPMENT, AND SIMILAR FACILITIES ON THE ROOF, GROUND OR BUILDING SHALL MEET THE REQUIREMENT OF SEC. 4.2.2.9 OF THE ZOO. SPECIFICALLY SCREENING MUST BE DONE SO THAT:
 - IT IS INCORPORATED INTO THE OVERALL DESIGN THEME OF THE BUILDING AND LANDSCAPING;
 - SCREENING MATERIALS ARE NOT DIFFERENT FROM OR INTERFERE TO THE RESIDENTIAL MATERIALS OF THE BUILDING OR LANDSCAPE;
 - SCREENED ITEMS ARE OUT OF VIEW FROM ADJACENT PROPERTIES AND PUBLIC STREETS, AND A TOTALLY OPAQUE SCREEN IS ACHIEVED;
 - ANY MAINTAINED TREES OR MECHANICAL OR UTILITY EQUIPMENT SIX FEET TALL OR HIGHER MUST BE TRIMMED AND LANDSCAPED.
- DUMPSTER ENCLOSURES MUST MEET THE ABOVE REQUIREMENTS PLUS THEY MUST BE AT LEAST EIGHT FEET TALL OR THE HEIGHT OF THE DUMPSTER, WHICHEVER IS GREATER, AND BE BUILT OF MASONRY MATERIAL WITH SOLID GATES, WHERE PROTECTION CHAINS OR OTHER DEVICES MUST BE PLACED OUTSIDE THE ENCLOSURE TO VISUALLY SORTIFY THE APPEARANCE.
- ALL REQUIRED SITE ELEMENTS SHOWN WITHIN A PARTICULAR PHASE MUST BE INSTALLED BEFORE A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR ANY BUILDING WITHIN THAT PHASE.
- PROTECTIONS FOR SIGNAGE: ALL SITE TENTS, LIGHTING, LANDSCAPING, SIGNAGE, OR OTHER ITEMS FOR DUMPSTERS, MECHANICAL EQUIPMENT, HVAC, ETC., SEEING A SITE STABILIZATION AND PARKING AND PAINTMENT MARKINGS MUST BE COMPLETED.
- INDIVIDUAL SIGNAGE IS NOT APPROVED AS PART OF FINAL APPROVAL PROCESS. A SEPARATE SIGN PERMIT MUST BE OBTAINED PRIOR TO INSTALLATION OF THE SIGN. MULTIPLE LINK LOTS, NON-RESIDENTIAL SUBDIVISIONS, AND MULTIPLE TRACT LOTS MUST SUBMIT A MASTER SIGN PLAN FOR APPROVAL.
- RETAINING SYSTEMS PROVIDING A CONTINUOUS VERTICAL FACE MUST BE GREATER THAN FIVE (5) FEET IN HEIGHT WITHIN A HORIZONTAL DISTANCE OF 50 FEET OR LESS, INCLUDING RETAINING WALLS OF MECHANICALLY STABILIZED EARTH WALLS. SHALL BE DESIGNED AND CONTROLLED UNDER THE RESPONSIBLE CHARGE OF A REGISTERED PROFESSIONAL ENGINEER AND COMPANY IN ALL ASPECTS WITH THE NC BUILDING CODE SEC. 1610. RETAINING SYSTEMS MEETING THESE CRITERIA WILL REQUIRE A SEPARATE BUILDING PERMIT PRIOR TO START OF WORK. RETAINING STRUCTURE MATERIALS MUST BE AN INTEGRALLY TREATED MEDIUM OR DARK BROWN OR RUST COLOR.
- GRADING PERMITS: WHEN APPLICABLE, MAY ONLY BE ISSUED BY THE BUILDING INSPECTIONS DIVISION AFTER THE INSTALLATION AND APPROVAL OF TREE PROTECTION FENCING AND S&P MEASURES AND A CERTIFICATE OF COMPLIANCE HAS BEEN ISSUED BY THE WATER RESOURCES DEPARTMENT.

NOTES

- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF APEX STANDARDS AND SPECIFICATIONS.
- BOUNDARY INFORMATION FROM SURVEYS BY HARRY L. SCOTT (LSD SURVEYORS).
- PER FEMA MAP 4372007 (2003) DATED 20 FEBRUARY 2007, A 100-YEAR FLOODPLAIN IS NOT SHOWN ON THIS SITE.
- THE SITE HAS BEEN REVIEWED FOR ENVIRONMENTAL FEATURES BY ENVIRONMENTAL SERVICES, INC. AND THE IDENTIFIED STREAM BUFFERS AND WETLANDS ARE SHOWN HEREON. THE TOWN OF APEX PROJECT NUMBER IS 16-001.
- CONSTRUCTION VEHICLE PARKING LIMITED TO ONE SIDE OF THE ROAD OPPOSITE OF HYDRANTS, SIGNS INDICATING NO CONSTRUCTION VEHICLES THIS SIDE OF STREET. IN ENOUGH A SPANISH SHALL BE INSTALLED.
- ONCE THE FIRST LIFT OF ASPHALT IS PASSED BY VEHICLES, TEMPORARY SIGNAGE MUST BE REPLACED BY THE PERMANENT SIGNS.
- THE DEVELOPER WILL BE REQUIRED TO INSTALL WEATHER RESISTANT TEMPORARY ROAD NAME SIGNS AT INTERSECTIONS PRIOR TO PLAY APPROVAL. THESE SIGNS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL REPLACED BY THE PERMANENT SIGNS.
- DURING INSTALLATION OF S&P FENCE, MAINTAIN 3' CLEARANCE AROUND THE PERIMETERS.
- ALL COMMON AREA CONSISTING OF OPEN SPACE, LANDSCAPE BUFFERS, PCA, AND PLAY LAWNS SHALL BE MAINTAINED BY THE HOA.
- AN ANCHOR AREA IS A RESERVED OPTION WITH THIS SUBDIVISION APPROVAL. THE FINAL ANCHOR LOCATION AND DESIGN SHALL BE AN ADMINISTRATIVE APPROVAL BY SUBMITTAL OF A MAJOR SITE PLAN.
- PHASE 1 SHALL INCLUDE FULL ROAD CONSTRUCTION OF OLIVE GLEN DRIVE UP TO THE MAIN KIOSK, AFTER WHICH THE ROW SHALL BE CLOSED OFF TO THE PHASE LINE FOR INSTALLATION OF PUBLIC SANITARY SEWER AND STORM DRAINAGE INCLUDING SOLA-2, SANITARY SEWER AND STORM DRAINAGE EXTENDING BEYOND THE MAIN KIOSK SHALL BE RECORDED IN PUBLIC EASEMENTS UNTIL ROADWORK IS COMPLETED AND ROW IS DEDICATED.

HATCH LEGEND:

PCA	
PLAY LAWNS	
WETLANDS	



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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: Virtual
 Date of meeting: 12/20/21 Time of meeting: 5:00 PM - 7:00 PM
 Property Owner(s) name(s): Toll Southeast LP Company, Inc
 Applicant(s): Toll Southeast LP Company, Inc

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

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.	Nil Ghosh	112 W Main St 2nd Floor			
2.		Durham NC 27701			
3.	Peter Bellantoni	900 Perimeter Park Dr Ste B3			
4.		Morrisville, NC 27560			
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): Toll Southeast LP Company, Inc

Applicant(s): Toll Southeast LP Company, Inc

Contact information (email/phone): nghosh@morningstarlawgroup.com / 919-590-0362

Meeting Address: Virtual

Date of meeting: 12/20/21 Time of meeting: 5:00 PM to 7:00 PM

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

Question/Concern #1:

No neighbors attended the meeting

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

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

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

I, Nil Ghosh, do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zoom (location/address) on 12/20/21 (date) from 5:00 PM (start time) to 7:00 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.

1/4/22
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF ~~WAKE~~ Durham

Sworn and subscribed before me, Jeffrey Phillips, a Notary Public for the above State and County, on this the 4th day of January, 20 22.

SEAL



[Signature]
Notary Public
Jeffrey Phillips
Print Name

My Commission Expires: 02-24-2024