

## STAFF REPORT

### Rezoning #25CZ06 New Hill Olive Chapel Road Assemblage

June 24, 2025 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:** 2525, 2529, 2537, 2625, & 2701 New Hill Olive Chapel Rd  
**Applicant:** Mark Altman, Davidson Homes, LLC  
**Authorized Agents:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group  
**Owners:** Harold L. Atkins (Laura B. Atkins Estate), Sheryl Atkins Craver, Judy Atkins Hudson, Claude Lee Hudson Jr., Janet Atkins Keller, Jacque Diane Atkins Bass, & Davidson Homes, LLC

#### PROJECT DESCRIPTION:

**Acreage:** +/- 16.51 acres  
**PINs:** 0710931641, 0710940061, 0710940436, 0710846444, & 0710847301  
**Current Zoning:** Wake County Residential-40W (R-40W)  
**Proposed Zoning:** Medium Density Residential-Conditional Zoning (MD-CZ)  
**Current 2045 Land Use Map:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**If rezoned as proposed, the  
2045 Land Use Map Designation**

**will change to:**

Medium Density Residential

**Town Limits:**

Outside Corporate Limits and ETJ

#### ADJACENT ZONING & LAND USES:

	Zoning	Land Use
<b>North:</b>	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ01)	HOA open space and Single-family Residential (Woodbury Estates)
<b>South:</b>	Wake County Residential-40 Watershed (R-40W)	Vacant; Single-family Residential
<b>East:</b>	Planned Unit Development-Conditional Zoning (PUD-CZ #16CZ01)	HOA open space and Single-family Residential (Woodbury Estates); Large lot Single-family Residential
<b>West:</b>	Medium Density Residential-Conditional Zoning (MD-CZ #20CZ16); Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ17 & 24CZ19)	Large lot Single-family Residential; New Hill Olive Chapel Road; Single-family Residential (Belterra); Future Commercial (New Hill Commons PUD)

#### EXISTING CONDITIONS:

The site consists of five (5) parcels totaling +/- 16.51 acres located east of New Hill Olive Chapel Road. The northern and southernmost properties contain single-family dwellings and accessory buildings. The largest property in the middle of the assemblage contains a barn and fenced horse ring. All parcels are moderately to heavily wooded.

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#### NEIGHBORHOOD MEETING:

The applicant conducted two neighborhood meetings on February 26, 2025 and May 7, 2025. The neighborhood meeting reports are attached.

#### 2045 LAND USE MAP:

The 2045 Land Use Map designates the subject site as Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services (see Figure 1: Current 2045 Land Use Map). The proposed rezoning is not consistent with the Office Employment/Commercial Services designation on the southern part of the area to be rezoned. If the properties are rezoned as proposed, the 2045 Land Use Map will automatically be amended to Medium Density Residential per NCGS 160D-605(a). The development will be served by a public street that will align with future commercial and residential development on the west side of New Hill Olive Chapel Rd. The location of that street will not allow for sufficient area for non-residential development within the area proposed to be rezoned. The rezoning does include zoning conditions requiring public street access to the area designated Office Employment/Commercial Services to the south as well as a public street stub to the east.

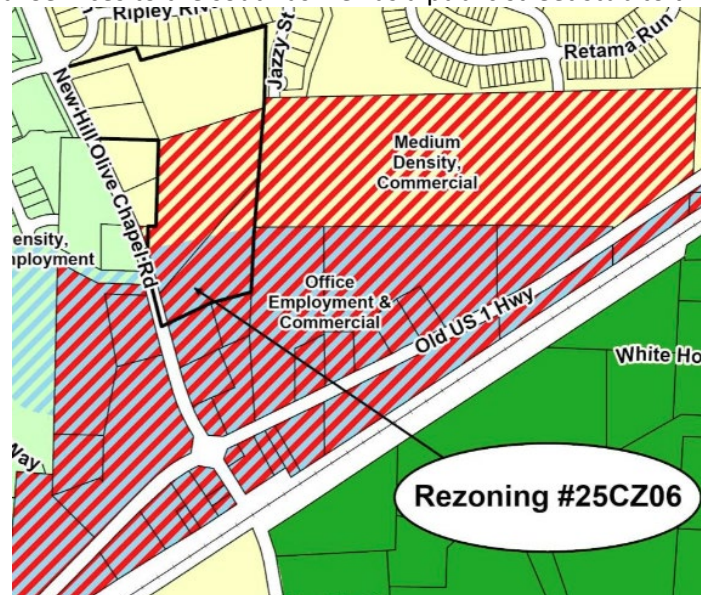


Figure 1: Current 2045 Land Use Map

#### 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 middle schools within the current assignment area for this rezoning/development are anticipated to have insufficient capacity for future students; transportation to schools outside of the current assignment area should be anticipated. School expansion or construction within the next five years may address concerns at the high school level. Possible long-term solutions may include capping students out to schools with available seats (not very proximate), reassignments, or calendar changes.

#### PROPOSED ZONING CONDITIONS:

The applicant is proposing a Medium Density Residential-Conditional Zoning with uses and development standards as follows:



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#### 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.

##### Residential

- Single-family detached
- Accessory Apartment

##### Utilities

- Utility, minor

#### Architectural Conditions:

The proposed development offers the following architectural controls to ensure a consistency of character throughout the development, while allowing for enough variety to create interest and avoid monotony. Changes to the exterior materials, roof, windows, doors, process, trim, etc. are allowable with administrative approval at the staff level. Further details shall be provided at the time of Site Plan submittal. The following conditions shall apply:

##### Single-family detached:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Garage doors shall have windows, decorative details or carriage-style adornments.
3. 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:
  - Window;
  - Bay Window;
  - Recessed window;
  - Decorative window;
  - Trim around the windows;
  - Wrap around porch or side porch;
  - Two or more building materials;
  - Decorative brink/stone;
  - Decorative trim;
  - Decorative shake;
  - Decorative air vents on gable;
  - Decorative cornice;
  - Column;
  - Portico;
  - Balcony; or
  - Dormer
4. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
5. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
6. Primary building materials shall be brick, stone, and fiber cement siding.
7. Entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.

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8. Front porches shall be a minimum of 6 feet deep.
9. The front façade of any front loaded garage shall not protrude further than five (5) feet forward beyond (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right of way from which the dwelling unit is addressed. Living space above garage shall not be considered part of the front façade.

#### Additional Conditions:

10. The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
11. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
12. The project shall install at least two (2) pet waste stations per 20 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
13. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.
14. Building setbacks shall be as required by Article 5 of the Unified Development Ordinance except the minimum side setback shall be five (5) feet.
15. Developer shall widen New Hill Olive Chapel Rd and dedicate public right of way along the entire project frontage based on a minimum two-lane 36-foot-wide 2-lane rural thoroughfare, inclusive of 12-foot-wide travel lanes and 6-foot-wide paved shoulders, roadside ditch, and construct 10-foot-wide Side Path on 110-foot-wide right of way. Additionally, developer shall construct a left turn lane meeting minimum NCDOT standards on New Hill Olive Chapel Rd for full movement access if/when proposed, subject to Apex and NCDOT review and approval.
16. A stub street shall be provided to the south, to PIN 0710932329, and to the east for future connectivity.
17. Subject to the Applicant obtaining necessary easements from property owners of PIN 0710836780, PIN 0710838911 and PIN 0710847161 at appraised fair market value; or, subject to approval of construction within the existing right of way, an off-site side path shall be constructed along New Hill Olive Chapel Road along the frontages of PIN 0710836780, PIN 0710838911 and PIN 0710847161.
18. Affordable Housing  
The Development shall include a minimum of two (2) residential restricted affordable housing detached single-family median-income ownership units (the "Affordable Units"). The Affordable Units shall be constructed on-site and sold (includes unit price and lot price) at a mutually agreeable maximum affordable housing median-income ownership initial sales price (the "Initial Sales Price"). The Affordable Units shall be occupied by low or median-income households earning no more than one-hundred thirty five (135%) of the Raleigh NC Metropolitan Statistical Area (MSA), Area Median Income (AMI), adjusted

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for family size as most recently published by HUD (the "Income Limit"). For purposes of calculating the Initial Sales Price for the Affordable Units, affordable shall mean a reasonable down payment and monthly housing costs expected during the first calendar year of occupancy, including utilities or utility allowances, mortgage loan principal and interest, mortgage insurance, property taxes, homeowner's insurance, homeowner's association dues, if any, and all other property assessments, dues and fees assessed as a condition of property ownership, which does not exceed thirty percent (30%) times (x's) one-hundred thirty five percent (135%) times (x's) the annual median-income limit {135% AMI Category}, based on a family size that is equal to the actual number of bedrooms as the Affordable Units, applicable to the Raleigh, NC MSA as most recently published by the HUD.

19. Homeowners Association will not restrict the construction of accessory apartments.

#### Affordable Housing:

##### Housing Staff Statement

Based on the adopted 2021 Apex Affordable Housing Plan and the adopted 2023 Affordable Housing Incentive Zoning Policy, the Housing Program recommends at least 5% of the residential units or lots be designated as affordable or workforce housing. This Policy recommendation applies to residential and mixed-use rezoning applications that propose 20 or more residential units. Applicants that meet the 5% unit recommendation may request incentives based on the policy.

Housing Staff has indicated that the 30-year affordability term is sufficient based upon the number of units offered and the AMI limits proposed.

#### ENVIRONMENTAL ADVISORY BOARD:

The Apex Environmental Advisory Board (EAB) reviewed this rezoning on February 27, 2025. The zoning conditions suggested by the EAB are listed below along with the applicant's response to each condition.

EAB Suggested Conditions	Applicant's Response
The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of 75% of the species selected shall be native or a native of North Carolina.	No
No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development	No
In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during winter on areas without turf grass, including individual homes and HOA owned common areas.	No
No invasive species shall be permitted. No single species of tree or shrub shall constitute more than 20% of the plant material of its type within a single development site.	No
HOA covenants shall not prohibit Clover, non-turf or native grass lawns.	No
A solar PV system of at least 4kW shall be installed on at least 10% of the homes (4 homes) within the development.	No
220v outlets shall be installed in all garages.	No
All homes shall be pre-configured with conduit for a solar energy system.	No

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The following environmental conditions have been proposed by the applicant:

- The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
- To reduce irrigation requirements, the project shall select and plant only warm season grasses.
- The project shall install at least two (2) pet waste stations per 20 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
- The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.

#### **PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of Rezoning #25CZ06 New Hill Olive Chapel Road Assemblage as proposed.

#### **PLANNING BOARD RECOMMENDATION:**

The Planning Board held a public hearing on June 9, 2025, and unanimously recommended approval of the rezoning.

#### **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:

The proposed rezoning to Medium Density Residential-Conditional Zoning (MD-CZ) is not consistent with the Town of Apex 2045 Land Use Map, which designates the subject properties as Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services. The development will be served by a public street that will align with future commercial and residential development on the west side of New Hill Olive Chapel Rd. The location of that street will not allow for sufficient area for non-residential development within the area proposed to be rezoned. The rezoning does include zoning conditions requiring public street access to the area designated Office Employment/Commercial Services to the south as well as a public street stub to the east. Approval of the rezoning to MD-CZ will automatically amend the Land Use Map to Medium Density Residential. While this represents a shift from the original intent for mixed-use, the proposed MD-CZ zoning will maintain the character and appearance of the surrounding area.

The proposed rezoning to Medium Density Residential-Conditional Zoning (MD-CZ) is reasonable and in the public interest in that: The rezoning will allow for the development of residential development, including affordable units, consistent with the character of the development to the north, which supports the continued residential growth in this area. Additionally, the rezoning will promote compatible development with surrounding land uses and contribute to an increased tax base, supporting the Town's long-term fiscal sustainability.

#### **Legislative Considerations**

The Town Council shall find the Medium Density-Conditional Zoning (MD-CZ) designation demonstrates compliance with the following standards. 2.3.3(F):

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.



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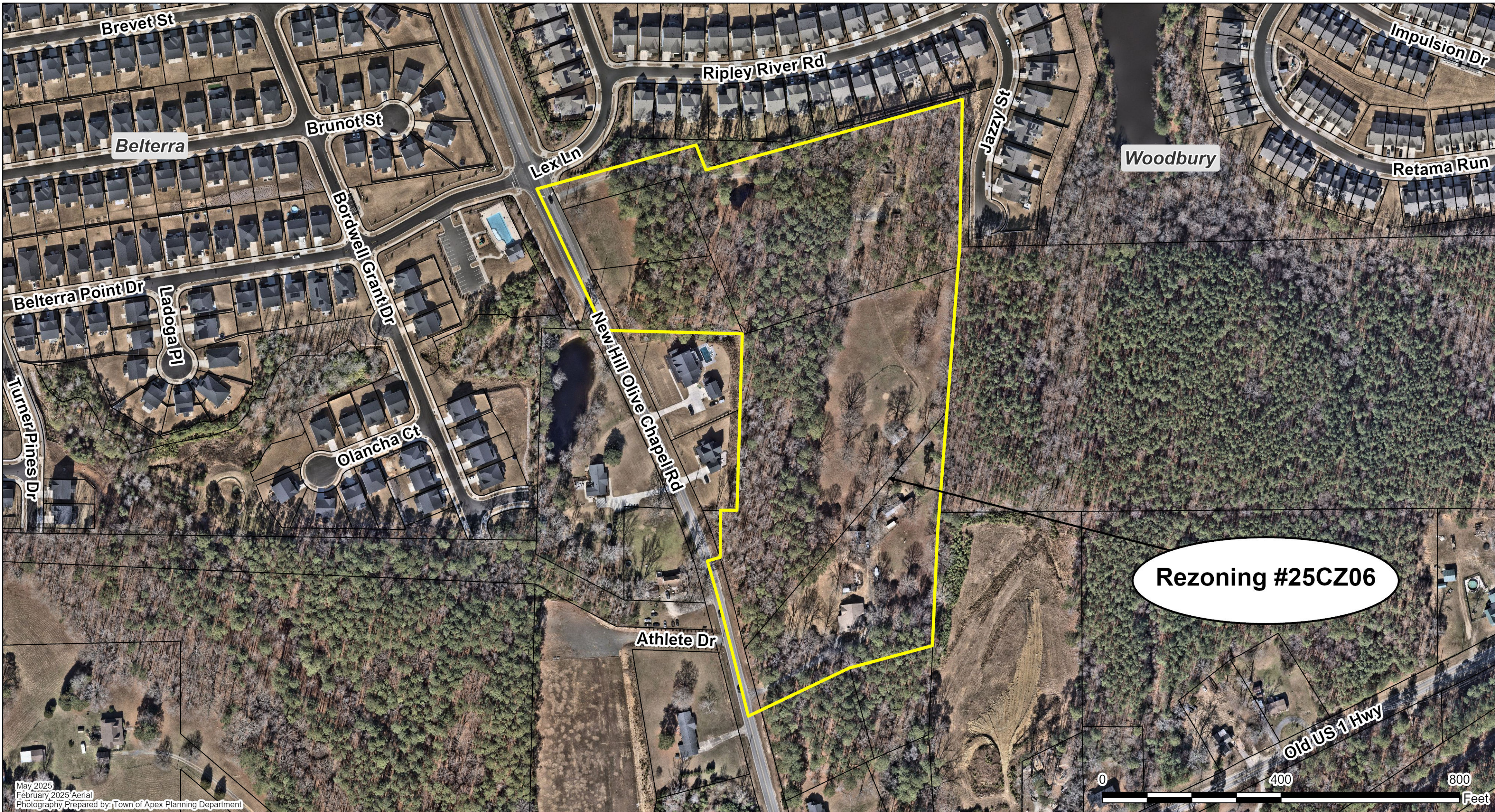
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- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.*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







## 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 #: 25CZ06 Submittal Date: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_

### Project Information

Project Name: New Hill Olive Chapel Road Assemblage  
Address(es): 2701, 2625, 2525, 2529, 2537 New Hill Olive Chapel Rd  
PIN(s): 0710931641, 0710940061, 0710940436, 0710846444; 0710847301  
Acreage: 16.51  
Current Zoning: Wake County Residential 40 (R-40W) Proposed Zoning: Medium Density Residential District - Conditional Zoning (MD-CZ)  
Current 2045 LUM Classification(s): Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services  
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: \_\_\_\_\_  
Area proposed as non-residential development: \_\_\_\_\_ Acreage: \_\_\_\_\_  
Percent of mixed use area proposed as non-residential: \_\_\_\_\_ Percent: \_\_\_\_\_

### Applicant Information

Name: Mark Altman c/o Davidson Homes, LLC  
Address: 1903 N. Harrison Avenue, Suite 200  
City: Cary State: NC Zip: 27513  
Phone: 919-868-2147 E-mail: maltman@davidsonhomes.com

### Owner Information

Name: See Attached Owner Information List  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Agent Information

Name: Leticia Shapiro Attorney - Morningstar Law Group  
Address: 434 Fayetteville Street, Suite 2200  
City: Raleigh State: NC Zip: 27601  
Phone: 919-590-0366 E-mail: tshapiro@morningstarlawgroup.com  
Other contacts: Jason Barron - Morningstar Law Group  
434 Fayetteville Street, Suite 2200, Raleigh NC 27601  
jbarron@morningstarlawgroup.com  
919-590-0371

## PETITION INFORMATION

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

An application has been duly filed requesting that the property described in this application be rezoned from R-40W to MD-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, detached</u>	21	_____
2	<u>Accessory Apartment</u>	22	_____
3	<u>Utility, minor</u>	23	_____
4	_____	24	_____
5	_____	25	_____
6	_____	26	_____
7	_____	27	_____
8	_____	28	_____
9	_____	29	_____
10	_____	30	_____
11	_____	31	_____
12	_____	32	_____
13	_____	33	_____
14	_____	34	_____
15	_____	35	_____
16	_____	36	_____
17	_____	37	_____
18	_____	38	_____
19	_____	39	_____
20	_____	40	_____



## PETITION INFORMATION

Application #:

25CZ06

Submittal Date:

## PROPOSED CONDITIONS:

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

See attached Proposed Zoning Conditions.

## LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

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

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

The proposed rezoning seeks to develop a single family community with a maximum of 42 single family lots. The Future Land Use Map designates this area as Medium Density Residential, Office Employment, and Commercial Services. This rezoning request would change the property's Future Land Use designation to Medium Density Residential, consistent with nearby development.

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 site is compatible with adjacent medium density residential conditional zoning to the west and planned unit development Jordan Vistas to the west, New Hill Estates to the north, and Woodbury to the northeast. As such, the proposed development is ideal for single family residential and is consistent with the character of surrounding land uses.

## PETITION INFORMATION

Application #:

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Submittal Date:

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

The proposed Medium Density Residential Conditional Zoning district will comply with any applicable standards in UDO Section 4.4.

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.

Development of the property consistent with the proposed rezoning will comply with the Town UDO requirements, while facilitating the development of a single family community that will include buffers and RCA located to help minimize any adverse effects on adjacent 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 development of the property will meet or exceed UDO required RCA for this area. The development of the property will meet the UDO stormwater requirements.

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.

To the applicant's knowledge, there are sufficient public facilities and services to serve the development consistent with the proposed rezoning. The project will connect to public utilities to serve the single-family dwelling units. Road frontage improvements will be made along New Hill Olive Chapel Rd. and will include new internal streets that stub to the east and south connecting future development. The project will be served by the nearby fire station. The Wake County Residential Development Notification form is included.

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.

There will be no adverse impact to health, safety, and welfare as a result of the proposed rezoning.

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Submittal Date:

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

The proposed single family community will be of similar size, scale, and quality of existing nearby neighborhoods. Uses that could be harmful to adjacent properties will be prohibited. Other conditions including but not limited to minimum architectural requirements will ensure the project will not be 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.

The proposed development will not create a nuisance or hazard due to traffic or noise. Development of the property will be similar in size, scale, and quality of existing homes in the area.

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 zoning district will comply with all standards required by the UDO and additional standards set forth in zoning conditions which either meet or exceed the base requirements of the UDO.

## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Davidson Homes, LLC is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2625 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville Street, Suite 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

Brad Nelson

BRAD NELSON

Type or print name

2/26/25

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 #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, BRAD NELSON of Davidson Homes 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 2625 New Hill Olive Chapel Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 1/31/25, and recorded in the Wake County Register of Deeds Office on 1/31/25, in Book 019820 Page 01920-01923.
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 1/31/25, 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 1/31/25, 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 26<sup>th</sup> day of FEBRUARY, 2025.

Brad Nelson

(seal)

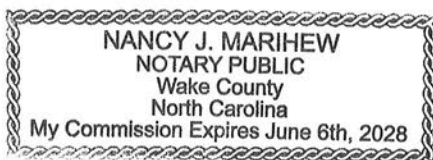
BRAD NELSON

Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Wake

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



Nancy J. Marihew

Notary Public

State of North Carolina

My Commission Expires: June 6<sup>th</sup>, 2028

4220 Neal Road, Durham N

**AGENT AUTHORIZATION FORM**Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Harold L. Atkins is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel RoadThe agent for this project is: Mark Altman - Davidson Homes LLC☐ I am the owner of the property and will be acting as my own agentAgent Name: Mark Altman - Davidson Homes LLCAddress: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513Telephone Number: 919-868-2147E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\*

Harold L. Atkins

Type or print name

2/28/2025

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.

**AGENT AUTHORIZATION FORM**Application #: 25CZ06 Submittal Date: \_\_\_\_\_Harold L. Atkins is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel RoadThe agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group☐ I am the owner of the property and will be acting as my own agentAgent Name: Leticia Shapiro and Jason Barron - Morningstar Law GroupAddress: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601Telephone Number: 919-590-0366; 919-590-0371E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

Harold L. Atkins

Type or print name

2/28/2025

Date

Type or print name

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Attach additional sheets if there are additional owners.

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# AFFIDAVIT OF OWNERSHIP

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Harold L. Atkins (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 2525, 2529, and 2537 New Hill Olive Chapel Rd 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 XXXXXXXXXXXXXXXXXXXX and recorded in the Wake County Register of Deeds Office on XXXXXXXXXXXX in Book XXXXXXXXXXXX Page XXXXXXXXXXXX~~ the Estate of Laura Burbank Atkins File # 23E005712-910, Wake County Clerk of Superior Court, Estates Division.
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 9/12/23, 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 9/12/23, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

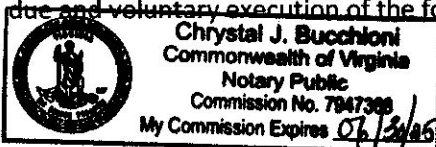
This the 28 day of February, 2025.

[Signature] (seal)  
Harold L. Atkins

Type or print name

Virginia 02/28/25 CJB  
STATE OF NORTH CAROLINA  
City COUNTY OF Poquoson

I, the undersigned, a Notary Public in and for the City State of Poquoson, VA hereby certify that Harold Atkins, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's driver's license personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



[Signature]  
Notary Public  
State of North Carolina Virginia  
My Commission Expires: 06/30/25

[NOTARY SEAL]



## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Sheryl Atkins Craver is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Mark Altman - Davidson Homes LLC

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

Agent Name: Mark Altman - Davidson Homes LLC

Address: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513

Telephone Number: 919-868-2147

E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\*

Sheryl Atkins Craver

Sheryl Atkins Craver

Type or print name

2-28-25

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.

# AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Sheryl Atkins Craver

is the owner\* of the property for which the attached application is being submitted:

☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

Sheryl Atkins Craver

Sheryl Atkins Craver

Type or print name

2-28-25

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.

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**AFFIDAVIT OF OWNERSHIP**Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Sheryl A. Craver (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 2525, 2529, and 2537 New Hill Olive Chapel Rd 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 xxxxxxxxxxxxxxxx and recorded in the Wake County Register of Deeds Office on xxxxxxxxxxxx in Book xxxxxxxxxxxx Page xxxxxxxxxxxx~~ the Estate of Laura Burbank Atkins File # 23E005712-910, Wake County Clerk of Superior Court, Estates Division.
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 9/12/23, 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 9/12/23, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 28 day of February, 2025

Sheryl Atkins Craver (seal)

Sheryl Atkins Craver

Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF Randolph

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



Connie Cody

Notary Public

State of North Carolina

My Commission Expires: 12-01-2029

## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Judy Atkins Hudson and Claude Lee Hudson, Jr. is the owner\* of the property for which the attached application is being submitted:

☒ 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: 2701 New Hill Olive Chapel Road

The agent for this project is: Mark Altman - Davidson Homes LLC

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

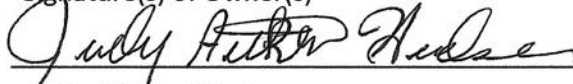
Agent Name: Mark Altman - Davidson Homes LLC

Address: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513

Telephone Number: 919-868-2147

E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\*



Judy Atkins Hudson

Type or print name

2/27/25

Date



Claude Lee Hudson, Jr.

Type or print name

2/27/25

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.



# AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Judy Atkins Hudson and Claude Lee Hudson, Jr. is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2701 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

Judy Atkins Hudson

Judy Atkins Hudson

Type or print name

2/27/25

Date

Claude Lee Hudson, Jr.

Claude Lee Hudson, Jr.

Type or print name

Feb. 27, 2025

Date

Attach additional sheets if there are additional owners.

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# AFFIDAVIT OF OWNERSHIP

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Judy Atkins Hudson and Claude Lee Hudson, Jr. (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 2701 New Hill Olive Chapel Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 11/21/86, and recorded in the Wake County Register of Deeds Office on 11/21/86, in Book 3875 Page 47.
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 11/21/86, 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 11/21/86, 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 27 day of February, 2025.

Judy Atkins Hudson and Claude Lee Hudson Jr  
Type or print name

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, the undersigned, a Notary Public in and for the County of Wake, hereby certify that Judy Atkins Hudson & Claude Lee Hudson Jr, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



Gabriella McCreary  
Notary Public

State of North Carolina

My Commission Expires: 10-16-27

# AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Judy Atkins Hudson is the owner\* of the property for which the attached application is being submitted:

☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Mark Altman - Davidson Homes LLC

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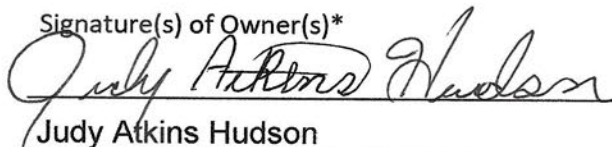
Agent Name: Mark Altman - Davidson Homes LLC

Address: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513

Telephone Number: 919-868-2147

E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\*



Judy Atkins Hudson

Type or print name

2/27/25  
Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Judy Atkins Hudson is the owner\* of the property for which the attached application is being submitted:

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☒ Subdivision

☐ Variance

☐ Other: \_\_\_\_\_

The property address is: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

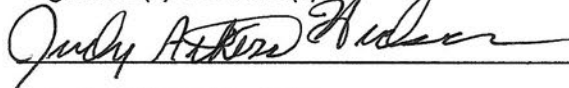
Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*



Judy Atkins Hudson

Type or print name

2/27/25

Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

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# AFFIDAVIT OF OWNERSHIP

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Judy Atkins Hudson (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 2525, 2529, and 2537 New Hill Olive Chapel Rd 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 xxxxxxxxxxxxxxxx and recorded in the Wake County Register of Deeds Office on xxxxxxxxxxxx in Book xxxxxxxxxxxx Page xxxxxxxxxxxx~~ the Estate of Laura Burbank Atkins File # 23E005712-910, Wake County Clerk of Superior Court, Estates Division.
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).
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This the 27 day of February, 2025

Judy Atkins Hudson  
Judy Atkins Hudson

(seal)

Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF Wake

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



Gabriella McCreary

Notary Public

State of North Carolina

My Commission Expires: 10-16-27



## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Janet Atkins Keller is the owner\* of the property for which the attached application is being submitted:

☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Mark Altman - Davidson Homes LLC

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

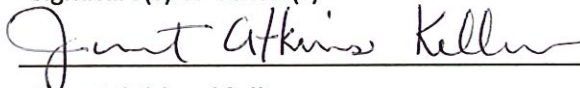
Agent Name: Mark Altman - Davidson Homes LLC

Address: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513

Telephone Number: 919-868-2147

E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\*



Janet Atkins Keller

Type or print name

2-27-2025

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.



# AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Janet Atkins Keller is the owner\* of the property for which the attached application is being submitted:

☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

Janet Atkins Keller

Janet Atkins Keller

Type or print name

2/27/2025

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.

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# AFFIDAVIT OF OWNERSHIP

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Janet Atkins Keller (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 2525, 2529, and 2537 New Hill Olive Chapel Rd 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 ~~XXXXXX~~ and recorded in the Wake County Register of Deeds Office ~~XXXXXX~~ in Book ~~XXXXXX~~ Page ~~XXXXXX~~ the Estate of Laura Burbank Atkins File # 23E005712-910, Wake County Clerk of Superior Court, Estates Division.
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 9/12/23, 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 9/12/23, 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 27<sup>th</sup> day of February, 2025.

Janet Atkins Keller (seal)  
Janet Atkins Keller

Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, the undersigned, a Notary Public in and for the County of \_\_\_\_\_, hereby certify that \_\_\_\_\_, 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.

Sandhya Chowhan-Pawar, Notary Public

Notary Public

State of North Carolina

My Commission Expires: 03/29/27

See Attached  
Certificate

[NOTARY SEAL]

FEB 27 2025

☒ Acknowledgment  
☐ Jurat  
☐ Copy Certificate



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange

On Feb 27th, 2025 before me Sandhya Chowhan-Pawar, Notary Public, personally appeared

Janeet Atkins Keller  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE

Sandhya Chowhan-Pawar



PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of attached document

Title or type of document: Affidavit of Ownership

## AGENT AUTHORIZATION FORM

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

Jacque Diane Atkins Bass is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Mark Altman - Davidson Homes LLC


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

Agent Name: Mark Altman - Davidson Homes LLC

Address: 1903 N. Harrison Avenue, Suite 200, Cary, NC 27513

Telephone Number: 919-868-2147

E-Mail Address: maltman@davidsonhomes.com

Signature(s) of Owner(s)\* 

Jacque Diane Atkins Bass

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
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.

## AGENT AUTHORIZATION FORM

Application #: 25CZ06 Submittal Date: \_\_\_\_\_

Jacque Diane Atkins Bass is the owner\* of the property for which the attached application is being submitted:

- ☒ 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: 2525, 2529, and 2537 New Hill Olive Chapel Road

The agent for this project is: Leticia Shapiro and Jason Barron - Morningstar Law Group

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

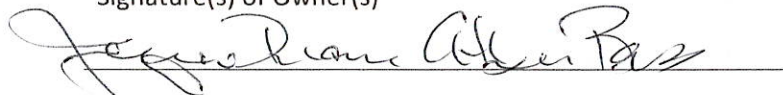
Agent Name: Leticia Shapiro and Jason Barron - Morningstar Law Group

Address: 434 Fayetteville St. Ste. 2200, Raleigh NC 27601

Telephone Number: 919-590-0366; 919-590-0371

E-Mail Address: tshapiro@morningstarlawgroup.com; jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

  
\_\_\_\_\_  
Jacque Diane Atkins Bass

\_\_\_\_\_  
Type or print name 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.

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# AFFIDAVIT OF OWNERSHIP

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

The undersigned, Jacque Diane Atkins Bass (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 2525, 2529, and 2537 New Hill Olive Chapel Rd 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~~ XXXXXX ~~and recorded in the Wake County Register of Deeds Office on~~ XXXXXX ~~in Book~~ XXXXXX ~~Page~~ XXXXXX ~~XXXXXX~~ the Estate of Laura Burbank Atkins File # 23E005712-910, Wake County Clerk of Superior Court, Estates Division.
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 9/12/23, 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 9/12/23, 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 1<sup>st</sup> day of March, 2025.

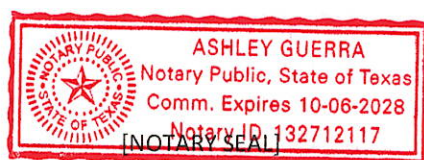
State: Texas  
County: Harris

Jacque Diane Atkins Bass (seal)  
\_\_\_\_\_  
Jacque Diane Atkins Bass

Type or print name

~~TX~~  
This instrument has been acknowledged  
STATE OF NORTH CAROLINA  
COUNTY OF HARRIS by me on 3/11/25.

I, the undersigned, a Notary Public in and for the County of HARRIS, hereby certify that Jacque Diane Atkins Bass, 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.



[Signature]  
\_\_\_\_\_  
Notary Public  
State of North Carolina  
My Commission Expires: 10/6/28

## AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 25CZ06

Submittal Date: \_\_\_\_\_

**Insert legal description below.**

See attached Rezoning Legal Description.



## Rezoning Legal Description – April 30<sup>th</sup>, 2025

### ATKINS TRACT 1 – PIN: 0710-94-0436, 0710-84-7301, 0710-84-6444

Beginning at an existing iron pipe located in the southeast corner of the Laura Atkins property, PIN 0710-94-0436, said pipe having NC grid coordinates (NAD 83 – 2011) of N=704,354.22, E=2,019,365.63, thence South 72°47'37" West 506.27 feet to a point, thence North 88°33'47" West 275.46 feet to a new iron pipe in the Eastern Right of Way of New Hill Olive Chapel Road (Variable Width R/W), thence North 88°33'47" West 35.01 feet to a point in the centerline of New Hill Olive Chapel Road, thence North 25°18'32" West 350.53 feet along the centerline of New Hill Olive Chapel Road to a point, thence North 74°34'16" East 53.09 feet to a new iron pipe in the Eastern Right of Way of New Hill Olive Chapel Road, thence North 74°34'16" East 316.74 feet to an existing iron pipe, thence South 21°41'09" East 60.15 feet to a nail at the base of an existing iron pipe, thence North 74°36'43" East 595.80 feet to an existing iron pipe, thence South 01°00'40" West 330.93 feet to an existing iron pipe, thence South 04°29'17" West 44.76 feet to an existing iron pipe, the point and place of beginning, containing 7.65 acres (333,360 sq ft) more or less.

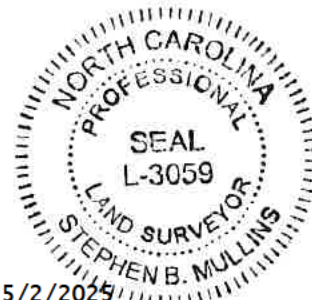
### ATKINS LOT 2 – PIN: 0710-94-0061

Beginning at a nail at the base of an existing iron pipe on the eastern right of way of New Hill Olive Chapel Rd (SR 1141) (Variable Width Public R/W), said nail having NC grid coordinates (NAD 83 – 2011) of N=703,500.66, E=2,018,888.09, thence from said beginning point with said right of way North 14°39'29" West 80.03 feet to a point, thence North 14°34'10" West 35.78 feet to a point, thence North 15°47'40" West 32.61 feet to a point, thence North 16°22'34" West 62.21 feet to a new iron pipe, thence leaving said right of way North 00°31'52" East 105.40 feet to a new iron pipe, thence South 89°34'15" East 36.59 feet to an existing iron pipe, thence North 01°44'29" East 395.75 feet to a point, thence North 72°47'37" East 506.27 feet to an existing iron pipe, thence South 04°26'16" West 325.00 feet to a new iron pipe, thence South 40°30'26" West 696.47 feet to the point and place of beginning, containing 5.77 acres (251,219 sq ft) more or less.

### HUDSON TRACT 2 – PIN: 0710-93-1641

Beginning at a new iron pipe located in the Northeast corner of the Judy & Claude Hudson property, PIN 0710-93-1641, said pipe having NC grid coordinates (NAD 83 – 2011) of N=704,030.20, E=2,019,340.48, thence South 04°26'16" West 271.14 feet to a new iron pipe, thence South 02°35'58" West 254.54 feet to an existing iron pipe, thence South 75°01'05" West 192.41 feet to an existing iron pipe, thence South 64°27'48" West 220.47 feet to a nail at the base of an existing bent iron pipe in the Eastern Right of Way of New Hill Chapel Road (Variable Width R/W), thence North 14°04'28" West 144.17 feet along the Right of Way of New Hill Chapel Road to a nail at the base of an existing bent iron pipe, thence North 40°30'26" East 696.47 feet to a new iron pipe, the point and place of beginning, containing 3.09 acres (134,503 sq ft) more or less.

DocuSigned by:  
*Stephen B Mullins*  
DFCEC79C4D7E4B2...



NEW HILL OLIVE CHAPEL ROAD  
PROPERTY OWNER INFORMATION EXHIBIT

Property Owner(s)	PIN	REID	Property Address
Hudson, Claude Lee Jr Hudson, Judy A	0710931641	0142279	2701 New Hill Olive Chapel Road
Davidson Homes, LLC	0710940061	0142280	2625 New Hill Olive Chapel Road
Atkins, Laura B	0710940436	0142281	2525 New Hill Olive Chapel Road
Atkins, Laura B	0710846444	0080811	2529 New Hill Olive Chapel Road
Atkins, Laura B	0710847301	0080809	2537 New Hill Olive Chapel Road



NEW HILL OLIVE CHAPEL ROAD ASSEMBLAGE  
PROPOSED REZONING CONDITIONS

1. Homeowners Association will not restrict the construction of accessory apartments.
2. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
3. Garage doors shall have windows, decorative details or carriage-style adornments.
4. 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:
  - Window;
  - Bay Window;
  - Recessed window;
  - Decorative window;
  - Trim around the windows;
  - Wrap around porch or side porch;
  - Two or more building materials;
  - Decorative brink/sone;
  - Decorative trim;
  - Decorative shake;
  - Decorative air vents on gable;
  - Decorative cornice;
  - Column;
  - Portico;
  - Balcony; or
  - Dormer
5. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
6. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
7. Primary building materials shall be brick, stone, and fiber cement siding.
8. Entrances for units with front-facing single-car garages shall have a prominent covered porch/stoop area leading to the front door. The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.
9. Front porches shall be a minimum of 6 feet deep.
10. The front façade of any front loaded garage shall not protrude further than five (5) feet forward beyond (i) the front façade of the dwelling unit, or (ii) the front porch of the dwelling unit, whichever is closer to the right of way from which the dwelling unit is addressed. Living space above garage shall not be considered part of the front façade.
11. The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.

12. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
13. The project shall install at least two (2) pet waste stations per 20 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
14. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.
15. Building setbacks shall be as required by Article 5 of the Unified Development Ordinance except the minimum side setback shall be five (5) feet.
16. Developer shall widen New Hill Olive Chapel Rd and dedicate public right of way along the entire project frontage based on a minimum two-lane 36-foot-wide 2-lane rural thoroughfare, inclusive of 12-foot-wide travel lanes and 6-foot-wide paved shoulders, roadside ditch, and construct 10-foot-wide Side Path on 110-foot-wide right of way. Additionally, developer shall construct a left turn lane meeting minimum NCDOT standards on New Hill Olive Chapel Rd for full movement access if/when proposed, subject to Apex and NCDOT review and approval.
17. A stub street shall be provided to the south, to PIN 0710932329, and to the east for future connectivity.
18. Subject to the Applicant obtaining necessary easements from property owners of PIN 0710836780, PIN 0710838911 and PIN 0710847161 at appraised fair market value; or, subject to approval of construction within the existing right of way, an off-site side path shall be constructed along New Hill Olive Chapel Road along the frontages of PIN 0710836780, PIN 0710838911 and PIN 0710847161.
19. Affordable Housing

The Development shall include a minimum of two (2) residential restricted affordable housing detached single-family median-income ownership units (the "Affordable Units"). The Affordable Units shall be constructed on-site and sold (includes unit price and lot price) at a mutually agreeable maximum affordable housing median-income ownership initial sales price (the "Initial Sales Price").

The Affordable Units shall be occupied by low or median-income households earning no more than one-hundred thirty five (135%) of the Raleigh NC Metropolitan Statistical Area (MSA), Area Median Income (AMI), adjusted for family size as most recently published by HUD (the "Income Limit"). For purposes of calculating the Initial Sales Price for the Affordable Units, affordable shall mean a reasonable down payment and monthly housing costs expected during the first calendar year of occupancy, including utilities or utility allowances, mortgage loan principal and interest, mortgage insurance, property taxes, homeowner's insurance, homeowner's association dues, if any, and all other property assessments, dues and fees assessed as a condition of property ownership, which does not exceed thirty percent (30%) times (x's) one-hundred thirty five percent (135%) times (x's) the annual median-income limit {135% AMI Category}, based on a family size that is equal to the actual number of bedrooms as the Affordable Units, applicable to the Raleigh, NC MSA as most recently published by the HUD.



A restrictive covenant (i.e. resale deed restriction) with a minimum affordability period of thirty (30) years (the "Affordability Period") shall be recorded in the Wake County Registry against each of the Affordable Units concurrently at the close of escrow upon the sale of the Affordable Units.

A restrictive covenant (i.e. affordable housing agreement) between the Town and applicant shall be recorded in the Wake County Registry against each of the lots for the Affordable Units prior to the issuance of a building permit for such lots to memorialize the affordable housing terms and conditions of the approved zoning condition.

Final Affordable Housing Unit floor plan selection which includes the unit size and bedroom size will be at the discretion of the developer.

The Affordable Units may be provided in multiple phases or in one single phase.

Developer will work with the Town to identify qualifying buyers for the first sale of the Affordable Units (the "First Sale").

Following the First Sale of the Affordable Units, Developer shall not be responsible for managing the Affordable Units or performing marketing, applicant screening, and selection related to future sales of the Affordable Units.

Town staff will assist with the administrative duties of the Affordable Units during the Affordable Period.

## Wake County Residential Development Notification

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

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

Please send any questions about this form to:  
[studentassignment-gis-group@wcpss.net](mailto:studentassignment-gis-group@wcpss.net).

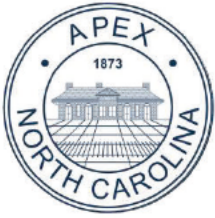
Developer Company Information	
Company Name	Davidson Homes LLC
Company Phone Number	
Developer Representative Name	Kim Mulder
Developer Representative Phone Number	919-255-2602
Developer Representative Email	kmulder@davidsonhomes.com

New Residential Subdivision Information	
Date of Application for Subdivision	
City, Town or Wake County Jurisdiction	New Hill (Apex)
Name of Subdivision	TBD
Address of Subdivision (if unknown enter nearest cross streets)	2525, 2029, 2537, 2625 & 2701 New Hill Olive Chapel Rd
REID(s)	0142281, 0080811, 0080809, 0142280, 0142279
PIN(s)	0710940436, 0710846444, 0710847301, 0710940061, 0710931641

Projected Dates Information	
Subdivision Completion Date	
Subdivision Projected First Occupancy Date	

Lot by Lot Development <i>Information</i>																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	42																
Townhomes																	
Condos																	
Apartments																	
Other																	





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

T: 919-249-3426  
F: 919-267-4987

# Instruction Packet and Affidavit for Neighborhood Meetings

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

## WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

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

## WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Minor Site Plans for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", and "Convenience store with gas sales";
- Residential Master Subdivision Plans (excluding exempt subdivisions); or
- Special Use Permits

## INSTRUCTIONS

Prior to submitting an application for a Rezoning; Major Site Plan; Minor Site Plans for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"; residential Master Subdivision Plan (excluding exempt subdivisions); or Special Use Permit, the applicant must conduct at least one (1) Neighborhood Meeting. **The notices for this Neighborhood Meeting shall not be mailed until after the pre-application meeting with the Technical Review Committee has been held.** This meeting may be held in-person or virtually. Virtual meetings shall provide a dial-in option in addition to a link to participate by internet. The applicant shall submit all forms included in this packet with the initial application submittal.

A second Neighborhood Meeting is required for all Rezoning (including Planned Unit Developments). This meeting shall be held in the month preceding the anticipated public hearing date.

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

### These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners 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, not including the day of mailing. **The applicant shall send an email to [addressing.team@apexnc.org](mailto:addressing.team@apexnc.org) to request the notification list as early as possible in order to receive the list in time for the mailing. The list will be provided within 5-10 business days of the initial request.** The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors. An updated list shall be provided by Planning staff prior to the required 2<sup>nd</sup> meeting for Rezoning applications.

- The applicant shall include with the meeting notice a vicinity map in addition to the materials listed under “Mailing and handout requirements” below.

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

- For all applications except Rezonings, the meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- For Rezoning, two (2) meetings are required. The first meeting must be held prior to submittal of the application and the second meeting must be held in the month preceding the anticipated public hearing date. The meetings must be held for a minimum of one (1) hour each, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- Meetings cannot be held on Town recognized holidays (<http://www.apexnc.org/calendar.aspx>).
- In-person meetings:
  - Meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
  - A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Virtual meetings:
  - Meeting shall be held via an interactive online video conferencing software such as Microsoft Teams, Zoom, WebEx, or any similar platform of the applicant’s choice. A dial-in option shall be provided.
  - An attendance sheet must be used to log known attendees at the virtual meeting. Note if no one attended.
- Mailing and handout requirements to help facilitate discussion:
  - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ):
    - A vicinity map and existing zoning map of the area; and
    - An exhibit(s) showing any proposed long range plan amendment(s), if applicable.
  - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; Minor Site Plans for the uses “Day care facility”, “Government service”, “School, public or private”, “Restaurant, drive-through”, and “Convenience store with gas sales”; residential Master Subdivision Plans; and Special Use Permits:
    - A vicinity map and preliminary plans of the proposed development. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet; applicant shall provide reduced copies upon request. For virtual meetings, the applicant must ask meeting participants if they would like any materials emailed/mailed to them; and
    - An exhibit showing any proposed long range plan amendment(s), if applicable.
  - Printed copies (handouts) must equal the number of notices required to be sent.
  - Contact information for the applicant’s representative and Town Staff must be provided on the attached “Project Contact Information” form.
  - “Common Construction Issues & Who to Call” sheet (attached) must be included as part of the mailing/handout.
  - A copy of the handout must be included as part of the Neighborhood Meeting report.



- The agenda of the meeting shall include:
  - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
  - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
  - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. For in-person meetings, provide blank comment sheets or notecards for neighbors to submit written comments. For virtual meetings, copy all questions and answers entered into the meeting’s chat feature before closing the meeting and save them into a document. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet or who otherwise request to be updated of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

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

- A copy of the letter mailed to the Planning Department, neighbors, and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One (1) reduced copy of the maps and/or plans included in the invitation and presented to the neighbors at the Neighborhood Meeting.

# NOTICE OF NEIGHBORHOOD MEETING

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

February 11, 2025

Date

Dear Neighbor:

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

2701, 2625, 2525, 2529, 2537 New Hill Olive Chapel Rd

0710931641, 0710940061, 0710940436, 0710846444

0710847301

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>. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

\*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

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

The applicant seeks to rezone the property to Medium Density Residential- Conditional Use (MD-CZ), and amend

the Land Use Map Designation to Low Density Residential to facilitate the development of a single-family dwelling community.

Estimated submittal date: March 3, 2025

## MEETING INFORMATION:

Property Owner(s) name(s):

See Attachment A

Applicant(s):

Jason Barron, Morningstar Law Group

Contact information (email/phone):

jbarron@morningstarlawgroup.com/919-590-0371

Meeting Address:

<https://morningstarlaw.group/02262025.mtg>

Date/Time of meeting\*\*:

February 26, 2025 5:30pm-6:30pm

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45 Question & Answer: 5:45pm-6:30pm

\*\*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>.



# 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: New Olive Chapel Road Assemblage Rezoning Zoning: Medium Density Residential

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet: 16.7

Property Owner: See Attachment A

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

Developer: Perry Verille c/o Davidson Homes

Address: 1903 North Harrison Avenue, Suite 200

City: Raleigh State: NC Zip: 27513

Phone: (919) 650-9205 Fax: \_\_\_\_\_ Email: pverille@davidsonhomesllc.com

Engineer: Withers Ravenel c/o Ed Tang

Address: 115 MacKenan Drive

City: Cary State: NC Zip: 27511

Phone: (919) 469-3340 Fax: \_\_\_\_\_ Email: etang@withersravenel.com

Builder (if known): Perry Verille c/o Davidson Homes

Address: 1903 North Harrison Avenue, Suite 200

City: Raleigh State: NC Zip: 27513

Phone: (919) 650-9205 Fax: \_\_\_\_\_ Email: pverille@davidsonhomesllc.com

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

## Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

## How to Participate in the February 26, 2025 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/02262025.mtg> to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.)

- Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
- Dial one of the following numbers:

- +1 929 436 2866
- +1 301 715 8592
- +1 305 224 1968
- +1 312 626 6799
- +1 646 931 3860
- +1 719 359 4580
- +1 253 205 0468
- +1 253 215 8782
- +1 346 248 7799
- +1 360 209 5623

- Webinar ID: 873 7689 7010
- Passcode: 919361
- For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.

REGISTRATION QR



If you have difficulty registering, you may call Leticia Shapiro at (919) 590-0366 or email [tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com) prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email [tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com) and the meeting link will be sent to help assist.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

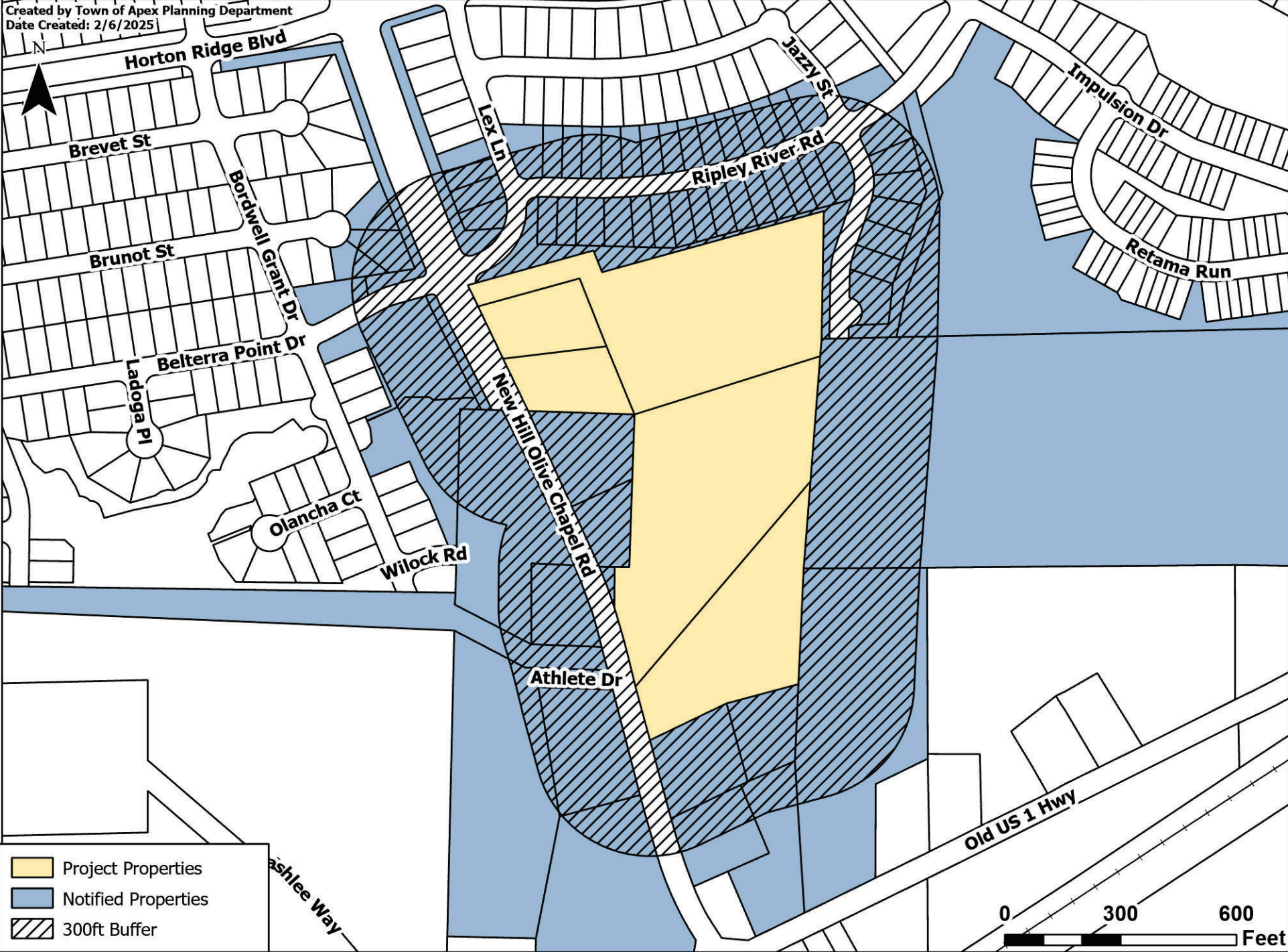
If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will either unmute you to allow you to speak to solicit your questions/comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at [tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com).

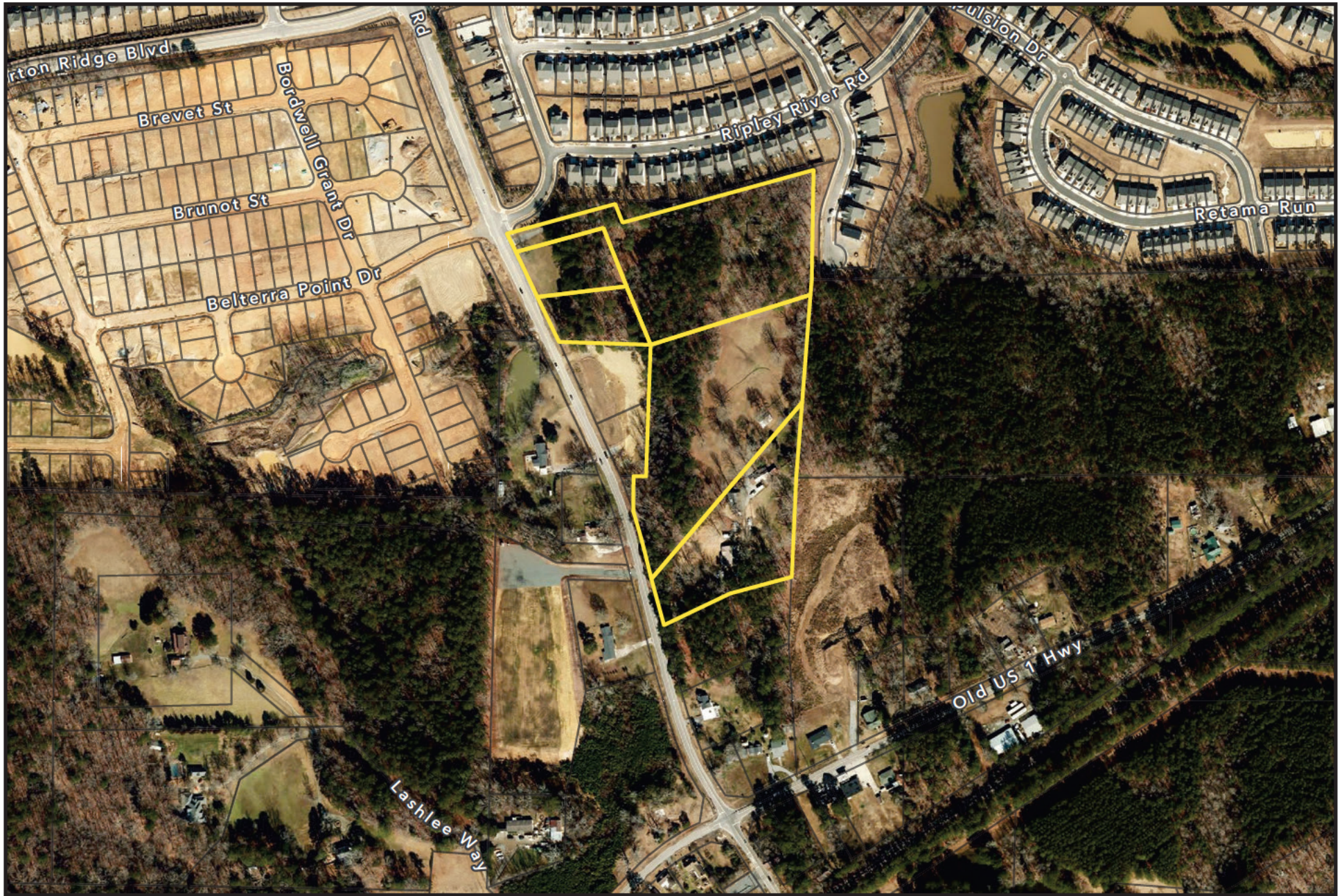


# Notified Properties within 300ft of the Project Properties

Created by Town of Apex Planning Department  
Date Created: 2/6/2025







Vicinity Map



0 200 400 800 ft  
1 inch equals 400 feet

**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.



## Attachment A

### Property Information

Property Owner(s)	County Parcel Number(s)	Real Estate ID(s)	Property Address	Deeded Acres
Hudson, Claude Lee Jr Hudson, Judy A	0710931641	0142279	2701 New Hill Olive Chapel Road	3.18
Hudson, Judy A Hudson, Claude Lee	0710940061	0142280	2526 New Hill Olive Chapel Road	5.87
Atkins, Laura B	0710940436	0142281	2525 New Hill Olive Chapel Road	5.42
Atkins, Laura B	0710846444	0080811	2529 New Hill Olive Chapel Road	1.14
Atkins, Laura B	0710847301	0080809	2537 New Hill Olive Chapel Road	1.09
				TOTAL: 16.7



SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
3235 RIPLEY RIVER RD	0710943851	ALBRECHT, PHILLIP M ALBRECHT, RACHEL M	3235 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3520 OLD US 1 HWY	0710934464	APEX FIRST IN-VESTMENTS LLC	5448 APEX PEAKWAY # 222	APEX NC 27502-3924
2525 NEW HILL OLIVE CHAPEL RD	0710940436	ATKINS, LAURA B	PO BOX 217	NEW HILL NC 27562-0217
2725 JAZZY ST	0710944590	BAPAT, VIKRAM KHAN, ZARINA S	2725 JAZZY ST	NEW HILL NC 27562-9328
3312 OLD US 1 HWY	0720046146	BARBOUR, LINDA BARKER	PO BOX 252	NEW HILL NC 27562-0252
2713 JAZZY ST	0710945752	BAUTISTA MENDOZA, ROBERTO I BAUTISTA, EMILY	2713 JAZZY ST	NEW HILL NC 27562-9328
3272 RIPLEY RIVER RD	0710848878	BRANCH, PETER J BRANCH, TONI ANN	3272 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2704 NEW HILL OLIVE CHAPEL RD	0710837363	BROADWELL, ANNIE RUTH L TRUSTEE BROADWELL FAMILY TRUST	2704 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9176
3268 RIPLEY RIVER RD	0710849828	BULUSU, SUNIL GUNTURU, MADHAVI	3268 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3267 RIPLEY RIVER RD	0710849750	BYLER, BRIAN D BYLER, ALLISON C	3267 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2701 JAZZY ST	0710945933	CARPENTER, DAVID H BEAULIEU, TAMMY M	2701 JAZZY ST	NEW HILL NC 27562-9328
3300 BRUNOT ST	0710842702	CHERUKU, SACHIN REDDY MANDALA, SRIASHA REDDY	3300 BRUNOT ST	NEW HILL NC 27562-7701
3285 RIPLEY RIVER RD	0710847700	CHU, CLIFFORD S CHU, CATHERINE	3285 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2609 NEW HILL OLIVE CHAPEL RD	0710847161	CUSUMANO, JOSEPH DAVID CUSUMANO, REAGAN LAYNE	2609 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9175
2625 NEW HILL OLIVE CHAPEL RD	0710940061	DAVIDSON HOMES LLC	336 JAMES RECORD RD	HUNTSVILLE AL 35824
3305 BRUNOT ST	0710841559	DEY, VICTOR DEY, LIPIKA	3305 BRUNOT ST	NEW HILL NC 27562-7701
2620 NEW HILL OLIVE CHAPEL RD	0710836780	DHILLON, HARDIP SINGH DHILLON, GURMINDER KAUR	5785 OLD US 1 HWY	NEW HILL NC 27562-8965
3276 RIPLEY RIVER RD	0710848827	DIAZ, ARTURO VARGAS SALINAS PALMA, IVETTE S	3276 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3259 RIPLEY RIVER RD	0710940752	DOSSLIN, FNU ANISH SUDARSHAN, SAHANA	3259 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3279 RIPLEY RIVER RD	0710847760	GALLIGAN, MICHAEL JOSEPH GALLIGAN, SHANNON	3279 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2717 JAZZY ST	0710945625	GOYANI, JAYDEEP HIMMATBHAI GOYANI, NEHABEN JAYDEEP	2717 JAZZY ST	NEW HILL NC 27562-9328
3284 RIPLEY RIVER RD	0710847828	HARRISON, JILL MARIE HARRISON, BRYAN A	3284 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3247 RIPLEY RIVER RD	0710942706	HESEN, ERIC M HESEN, KIMBERLY E	3247 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2600 NEW HILL OLIVE CHAPEL RD	0710835932	HICKS, MICHAEL N HICKS, ASHLEY FAY	2600 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9174
2619 NEW HILL OLIVE CHAPEL RD	0710838911	HOUGHTON, MICHAEL J DOBBINS, ASHLEY M	2619 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9175
2701 NEW HILL OLIVE CHAPEL RD	0710931641	HUDSON, CLAUDE LEE JR HUDSON, JUDY A	PO BOX 7	NEW HILL NC 27562-0007
2709 JAZZY ST	0710945779	JOHNSTON, JOHN REED IV JOHNSTON, CYNTHIA L	2709 JAZZY ST	NEW HILL NC 27562-9328
0 BELTERRA POINT DR	0710840590	KB HOME RALEIGH-DURHAM INC	1800 PERIMETER PARK DR STE 140	MORRISVILLE NC 27560-8464
2685 JAZZY ST	0710954084	KEANE, DEREK KEANE, JESSICA	2685 JAZZY ST	NEW HILL NC 27562-9327
3244 RIPLEY RIVER RD	0710941974	KIPROVSKI, BORIS KIPROVSKI, PAOLA A	3244 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2705 JAZZY ST	0710945866	LEAL, KEITH LEAL, ERIN M	2705 JAZZY ST	NEW HILL NC 27562-9328
3239 RIPLEY RIVER RD	0710943709	LEWIS, KEITH AUSTIN CO-TRUSTEES LEWIS, AMBER DAWN CO-TRUSTEES	3239 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3240 RIPLEY RIVER RD	0710942925	LU, YUANCHEN HU, RUI	3240 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3255 RIPLEY RIVER RD	0710941703	MARIAN, VLAD MARIAN, RALUCA IOANA	3255 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3248 RIPLEY RIVER RD	0710941932	MCALLISTER, JESSICA LOUISE MCALLISTER, WILLIAM CRAWFORD JR	3248 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3231 RIPLEY RIVER RD	0710944803	MCLENDON, KEITH O'BRIEN MCLENDON, SHARON HASTY	3231 RIPLEY RIVER RD	NEW HILL NC 27562-9329
8621 ATHLETE DR	0710835242	MENAGE LLC	255 OAK HAVEN LN	APEX NC 27523-5803
2628 LEX LN	0710844852	NAGESH, RAJ HARRIS, RACHAEL	2628 LEX LN	NEW HILL NC 27562-9326
3271 RIPLEY RIVER RD	0710849700	NANDAKUMAR, SRIRAMKUMAR TRUSTEE SAMPATH, PAVITHRA TRUSTEE	3271 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3230 RIPLEY RIVER RD	0710953030	NGUYEN, NGUYEN VO NGUYEN, THINH D	3230 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2636 LEX LN	0710844791	NUKALA, HARISH REDDY YERVA, THANVI	2636 LEX LN	NEW HILL NC 27562-9326
3258 RIPLEY RIVER RD	0710940920	OTT, CHAD OTT, LAURA	3258 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2721 JAZZY ST	0710945509	RODRIGUEZ FUENTES, PATRICIA Y MEDINA, MARCOS RODRIGUEZ	2721 JAZZY ST	NEW HILL NC 27562-9328
2632 LEX LN	0710844777	SANDHU, GURSHARAN SANDHU, RAJNEET KAUR	2632 LEX LN	NEW HILL NC 27562-9326
3288 RIPLEY RIVER RD	0710846878	SATOO, NIGEL CASTILLO, JERIKA	3288 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3600 OLD US 1 HWY	0710827861	SHRI VARNI LLC	1812 VENEZIA WAY	APEX NC 27502-4740
3236 RIPLEY RIVER RD	0710942977	SRISKANDA, AHILA NESA	3236 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3262 RIPLEY RIVER RD	0710849879	STEINBACK, ZACHARY DANIEL STEINBACK, MORGAN ALISE	3262 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3289 RIPLEY RIVER RD	0710846750	SUMMERS, DESMOND LEE, REBECCA W	3289 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3292 RIPLEY RIVER RD	0710846809	SUTER, JOHN ERIC SUTER, LINDSAY JANE	3292 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3280 RIPLEY RIVER RD	0710847878	SYAL, SAMIR MORGAN, DANA	3280 RIPLEY RIVER RD	NEW HILL NC 27562-9329

2624 LEX LN	0710844847	TENN, DAVID LEE, ELENA C	2624 LEX LN	NEW HILL NC 27562-9326
3263 RIPLEY RIVER RD	0710940701	TIERNEY, CLINTON A TIERNEY, JENNIFER M	3263 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3251 RIPLEY RIVER RD	0710941754	TRIPATHI, RAKESH KADEL, ANJANA	3251 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3252 RIPLEY RIVER RD	0710940981	UPTON, DAVID MARSHALL UPTON, ELIZABETH BERGER	3252 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3301 BRUNOT ST	0710842633	VENKANNA, RAJU KATTIMANI CHANDRAPPA, BINDU GOVINAKOVI	3301 BRUNOT ST	NEW HILL NC 27562-7701
3243 RIPLEY RIVER RD	0710942757	WILLIAMS, JEREMY K WILLIAMS, JULIE R	3243 RIPLEY RIVER RD	NEW HILL NC 27562-9329
0 LEX LN	0710844664	WOODBURY PROPERTY HOMEOWNERS ASSOCIATION INC	PO BOX 97243	RALEIGH NC 27624-7243
3528 OLD US 1 HWY	0710932040	WTR HISTORIC PROPERTIES LLC	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
3275 RIPLEY RIVER RD	0710848740	XIA, LIJUN LIU, RONG	3275 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2709 NEW HILL OLIVE CHAPEL RD	0710930350	YOUNG, LORETTA ROUNDY	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
		APEX TOWN OF	PO BOX 250	APEX NC 27502
		Current Tenant	2525 New Hill Olive Chapel RD	NEW HIL NC 27562
		Current Tenant	2620 New Hill Olive Chapel RD	NEW HIL NC 27562
		Current Tenant	2701 New Hill Olive Chapel RD	NEW HIL NC 27562
		Current Tenant	3312 Old Us 1 HWY	NEW HIL NC 27562
		Current Tenant	3520 Old Us 1 HWY	NEW HIL NC 27562
		Current Tenant	3528 Old Us 1 HWY	NEW HIL NC 27562

Created by Town of Apex Planning Department  
Date Created: 2/6/2025

### 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 2<sup>nd</sup> and 4<sup>th</sup> 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](mailto: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.

<b>Noise &amp; Hours of Construction:</b>	<b>Non-Emergency Police</b>	<b>919-362-8661</b>
-------------------------------------------	-----------------------------	---------------------

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 am to 8:30 pm 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-Friday from 8:00 am to 5:00 pm. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

<b>Construction Traffic:</b>	<b>Infrastructure Inspections</b>	<b>919-249-3386</b>
------------------------------	-----------------------------------	---------------------

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).

<b>Road Damage &amp; Traffic Control:</b>	<b>Infrastructure Inspections</b>	<b>919-249-3386</b>
-------------------------------------------	-----------------------------------	---------------------

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 Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

<b>Parking Violations:</b>	<b>Non-Emergency Police</b>	<b>919-362-8661</b>
----------------------------	-----------------------------	---------------------

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.

<b>Dirt in the Road:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
--------------------------	------------------------	---------------------

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

<b>Dirt on Properties or in Streams:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
------------------------------------------	------------------------	---------------------

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 by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

<b>Dust:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
--------------	------------------------	---------------------

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

<b>Trash:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
---------------	------------------------	---------------------

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

<b>Temporary Sediment Basins:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
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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 by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

<b>Stormwater Control Measures:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
-------------------------------------	------------------------	---------------------

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed.

<b>Electric Utility Installation:</b>	<b>Rodney Smith</b>	<b>919-249-3342</b>
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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 - Zoom Platform  
Date of meeting: February 26, 2025 Time of meeting: 5:30pm-6:30pm  
Property Owner(s) name(s): See Attached Property Owner Information Exhibit  
Applicant(s): Davidson Homes, 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.	Mark Altman, Davidson Homes, LLC				
2.	Ed Tang, Withersravenel				
3.	Leticia Shapiro, Morningstar Law Group				
4.	Joseph Cusumano				
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): See Attached Property Owner Information Exhibit

Applicant(s): Davidson Homes, LLC

Contact information (email/phone): Mark Altman, Davidson Homes LLC, maltman@davidsonhomes.com

Meeting Address: Virtual-Zoom Platform

Date of meeting: February 26, 2025

Time of meeting: 5:30pm - 6:30pm

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. The applicant provided a presentation discussing current zoning, proposed zoning, long range land use amendment, the rezoning process, and neighbor engagement. Following the presentation:  
Question/Concern #1:

Participant asked if there will be townhomes.

Applicant's Response:

Response: No, the proposed development is a single family community.

Question/Concern #2:

Participant stated that he would like to see less density here.

Applicant's Response:

Response: Thank you. We will note this in the report.

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, Leticia Shapiro, do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, 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 - Zoom Platform (location/address) on February 26, 2025 (date) from 5:30pm (start time) to 6:30pm (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.

March 3, 2025

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 3 day of March, 2025.

SEAL

**JULIA OGDEN  
NOTARY PUBLIC  
WAKE COUNTY, N.C.**

  
Notary Public

Julia Ogden  
Print Name

My Commission Expires: June 23, 2029

# APEX ENVIRONMENTAL ADVISORY BOARD

## Suggested Zoning Conditions



Project Name: New Hill Olive Chapel Road Assemblage      Date: \_\_\_\_\_

The Town of Apex Environmental Advisory Board offers this general list of suggested rezoning conditions for rezoning applicants to consider before filling a rezoning petition. The purpose of this list is to encourage and recommend implementation of exceptional environmental practices for future development that exceeds Town requirements. The Board will review each rezoning pre-application request and expand on suggested conditions by offering specific recommendations on a case-by-case basis.

The decision to include any of the recommendations below is voluntary by the applicant and the Board does not expect applicants to add all of the suggested conditions. Planning staff will include all zoning conditions suggested by this Board and will note which conditions have been added by the applicant in the staff reports to the Planning Board and Town Council. Applicants should review this list before meeting with the Board. NOTE: Text in green indicates suggested zoning condition language from Planning Staff. Underlined text indicates text or numbers that may be changed based on the specific project. Additional conditions may be suggested by the EAB at the meeting.

This document is divided into two parts:

- Part I – Residential applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights or exterior architecture.
- Part II – Non-Residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas. Your development may include elements of each part.

Please be sure to read and complete the entire document. Please provide a response to each goal and/or sub-goal. Any proposed modifications to the green zoning language should be listed in the section at the end of the document.

### Part I – Residential

Single-family dwelling and townhome subdivisions (excluding parking lots, exterior building lights and exterior architecture).

STORMWATER AND WATER CONSERVATION – WATER QUALITY (1-5)	YES	NO	N/A
<b>Goal 1. Increase riparian buffer widths from surface waters in environmentally sensitive areas.</b> The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 2. Install signage near environmental sensitive areas in order to reduce pet waste and excess nutrient inputs near Stormwater Control Measure (SCM) drainage areas.</b>			

**Environmental Advisory Board – Suggested Zoning Conditions**

<b>STORMWATER AND WATER CONSERVATION – WATER QUALITY (1-5)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Goal 3. Implement Low Impact Development (LID) techniques as defined by the NC Department of Environmental Quality.</b> The project shall install a minimum of _____ Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 4. Increase pervious surface to reduce stormwater runoff and pollutant concentrations.</b> <u>Option 5.1:</u> Install pervious pavements where practicable (e.g. when parking maximums are exceeded). The Department of Public Works & Transportation does not currently support these options within the right-of-way (ROW). These may be done on private sites, but not within the public ROW. a. The project shall utilize pervious pavement when constructing the parking spaces for parking lot-style townhomes. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner's association. <p align="center"><b>AND/OR</b></p> b. The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner's association.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Goal 5. Use the stormwater captured in the on-site SCM to irrigate landscaping within the development.</b> At least _____ SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>PLANTING AND LANDSCAPING (6-13)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 6. Preserve tree canopy and prioritize medium to large, healthy, desirable species.</b> <u>Option 6.1:</u> Preserve existing trees (percentage-based). Numbers shown may be changed based on project. The project shall preserve a minimum of _____ % of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to locate the preserved trees adjacent to areas of preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open spaces. <u>Option 6.2:</u> Replace canopy (percentage- or DBH size-based) where there is sufficient space. The project shall replace any large type trees, that measure 18-inches in caliper size or larger, and small type trees, that measure 8-inches in caliper size or larger, that are removed as a part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree of similar species or mature size. The UDO's required landscaping may be used to satisfy this requirement. To determine the number of trees that must be replaced, a tree survey for the full property shall be provided to the Planning Department. The survey shall be independently verified by a third-party licensed arborist.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
<b>Goal 7. Plant trees to improve energy efficiency.</b> <u>Option 7.1:</u> Plant deciduous shade trees on southern side of buildings. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <u>Option 7.2:</u> Plant evergreen trees as a windbreak on northern side of buildings. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A			
<b>Goal 8. Increase biodiversity.</b> <u>Note:</u> Invasive species are prohibited. Please see the Town's <a href="#">Design and Development Manual</a> for a link to the list of prohibited species. <u>Option 8.1:</u> Plant pollinator-friendly flora. Provide diverse and abundant pollinator and bird food sources (e.g. Snectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall. (Refer to the Apex <a href="#">Design &amp; Development Manual</a> for suggested native species). a. The project shall ensure that _____% of the landscaping shall be native species, which shall provide diverse and abundant pollinator and bird food sources. Special attention shall be paid to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <u>Option 8.2:</u> Provide and allow for undisturbed spaces (e.g. leaf piles, unmown fields, fallen trees) for nesting and overwintering for native pollinators and wildlife. In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <u>Option 8.3:</u> Retain and protect old ponds if the dam is structurally sound. To preserve and protect existing species, existing ponds shall be preserved if structurally sound. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <u>Option 8.4:</u> Increase the number of native trees and shrubs. a. The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of _____% of the species selected shall be native or a native of North Carolina. <p align="center"><b>AND/OR</b></p> b. No single species of native or adaptive vegetation shall constitute more than <u>20%</u> of the plant material of its type within a single development site. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A			
<b>Goal 9. Implement xeriscaping in design, which will use landscaping that requires less irrigation and chemical use. Contact Planning for assistance, if needed.</b> a. The project commits to planting only drought tolerant plants, of which _____% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review. <p align="center"><b>OR</b></p> b. To reduce irrigation requirements, the project shall select and plant only warm season grasses. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A			
<b>Goal 10. Promote the benefits of native pollinators.</b> The project shall plant at least _____ native pollinator demonstration garden within the development. The developer shall coordinate with a local or state agency that specializes in the design or certification of such gardens. Informational signage regarding the purpose of the garden and selected vegetation shall be provided. The pollinator garden shall be maintained by the developer or HOA. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A			
<b>Goal 11. Improve soil quality to be amenable for a variety of native and non-invasive plantings.</b>			

**Environmental Advisory Board – Suggested Zoning Conditions**

<b>PLANTING AND LANDSCAPING (6-13)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
To encourage the establishment of healthy plants, reduce fertilizers, and reduce stormwater runoff, topsoil shall be retained on site and a minimum of 4 inches of topsoil shall be placed on each lot and within disturbed common areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Goal 12. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas).</b> The UDO requires a _____-foot buffer along the _____perimeter of the property. The applicant shall add _____-foot buffer in that location, which would be an increase of _____-feet above the requirement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Goal 13. Reduce impacts to resource conservation Areas (RCAs).</b> a. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed. <p align="center"><b>OR</b></p> b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>SUSTAINABLE BUILDINGS (14)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 14. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard.</b> The project shall be designed to meet the requirements for one of the green building certifications listed above. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>WASTE MANAGEMENT (15)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 15. Encourage the proper disposal of pet waste to reduce environmental impacts.</b> <i>Numbers shown may be changed based on project.</i>			
The project shall install at least one (1) pet waste station per <sup>20</sup> 25 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there fewer than 25 homes, at least one (1) pet waste station shall be installed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>CLEAN ENERGY (16-18)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 16. Install rooftop solar on buildings.</b> a. A solar PV system of at least _____kW shall be installed on at least _____homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time. <p align="center"><b>AND/OR</b></p> b. A solar PV system shall be installed on a minimum of _____model home. All solar installation required by this condition shall be completed or under construction prior to _____% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time. <p align="center"><b>AND/OR</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Advisory Board – Suggested Zoning Conditions

CLEAN ENERGY (16-18)	YES	NO	N/A
c. The amenity center for the project shall include a rooftop solar PV system with a capacity of at least ____ kWhs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Goal 17. Include solar conduit in building design.</b> All homes shall be pre-configured with conduit for a solar energy system.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Goal 18. Encourage clean transportation.</b> The developer shall install at least ____ electric vehicle charging station in amenity centers or common area parking lots.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Part II - Non-Residential

Includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas.

STORMWATER AND WATER CONSERVATION – WATER QUANTITY (1)	YES	NO	N/A
<b>Goal 1. Increase design storm for retention basin in flood-prone areas.</b> The UDO requires that treatment for the first 1-inch of runoff will be provided such that the removal of 85% Total Suspended Solids is achieved. Each option is intended to be used as an improvement to the minimum UDO requirements. If an area is already required to mitigate the 25-year storm, option b should not be selected.			
a. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, 25-year and <u>100-year storm events</u> in accordance with the Unified Development Ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>OR</b>			
b. Post development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and <u>25-year storm events</u> in accordance with the Unified Development Ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

STORMWATER AND WATER CONSERVATION – WATER QUALITY (2-7)	YES	NO	N/A
<b>Goal 2. Increase riparian buffer widths from surface waters in environmentally sensitive areas.</b> The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 3. Limit tree clearing, stormwater control measures (SCM), or infrastructure in either zone of the riparian buffer.</b> No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The sewer shall be designed to minimize impacts to the riparian buffer.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 4. Install signage near environmental sensitive areas in order to reduce pet waste and excess nutrient inputs near Stormwater Control Measure (SCM) drainage areas.</b> The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 5. Implement low impact development (LID) techniques as defined by the NC Department of Environmental Quality.</b> The project shall install a minimum of ____ Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



## Environmental Advisory Board – Suggested Zoning Conditions

STORMWATER AND WATER CONSERVATION – WATER QUALITY (2-7)	YES	NO	N/A
type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.			
<p><b>Goal 6. Increase pervious surface to reduce stormwater runoff and pollutant concentrations.</b> The Department of Public Works &amp; Transportation does not currently support these options within the ROW. These may be done on private sites, but not within the public ROW.</p> <p><u>Option 6.1:</u> Install pervious pavements where practicable (e.g. when parking maximums are exceeded).</p> <p>a. The project shall utilize pervious pavement when constructing parking spaces that are in excess of the minimum parking requirement. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.</p> <p style="text-align: center;"><b>AND/OR</b></p> <p>b. The project shall utilize pervious pavement for all of the parking spaces provided. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.</p> <p><u>Option 6.2:</u> Modify curb and gutters to provide stormwater infiltration and evaporation, such as swale-only, reverse curbs, Silva cells, or curb cuts with rain gardens.</p> <p>To increase stormwater infiltration and evaporation, the project shall use modified curb and gutter designs to direct driveway runoff to one or more stormwater device, such as, but not limited to, bioswales, Silva cells, or rain gardens. The specific type and design shall be selected at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.</p> <p><u>Option 6.3:</u> Utilize green street design. May be done within the public ROW if it's in the form of a bioretention cell within a landscaped median or large roundabout. Will require approval by the Department of Public Works and Transportation.</p> <p>The project shall design and install one or more bioretention cells within the landscape median or roundabout along the primary road. The specific type and design shall be determined at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.</p>			
<b>Goal 7. Stormwater re-use application:</b> Integrate irrigation from the SCM (wet pond) on site.			
At least one ____SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.			

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
<p><b>Goal 8. Preserve tree canopy and prioritize medium to large, healthy, desirable species.</b></p> <p><u>Option 8.1:</u> Preserve existing trees (percentage-based). Numbers shown may be changed based on project. The EAB's preference is for a minimum of 50%.</p> <p>a. The project shall preserve a minimum of ____% of the existing tree canopy. Preserved areas may include, but are not limited to, RCA, perimeter buffers, riparian buffers and/or HOA maintained open space throughout the neighborhood.</p> <p style="text-align: center;"><b>OR</b></p> <p>b. The project shall preserve a minimum of ____% of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Advisory Board – Suggested Zoning Conditions**

<b>PLANTING AND LANDSCAPING (8-15)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<p>locate the preserved trees adjacent to areas of existing preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open spaces.</p> <p><u>Option 8.2:</u> Replace canopy (percentage- or DBH size-based) where there is sufficient space.</p> <p>The project shall replace any large type trees, that measure 18-inches in caliper size or larger, and small type trees, that measure 8-inches in caliper size or larger, that are removed as a part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree. The UDO's required landscaping may be used to satisfy this requirement. To determine the number of trees that must be replaced, a tree survey for the full property shall be provided to the Planning Department. The survey shall be independently verified by a third-party licensed arborist.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 9. Plant trees for improved energy efficiency.</b></p> <p><u>Option 9.1:</u> Plant deciduous shade trees on southern side of buildings.</p> <p>To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.</p> <p><u>Option 9.2:</u> Plant evergreen trees as a windbreak on northern side of buildings.</p> <p>To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 10. Increase biodiversity.</b></p> <p><u>Option 10.1:</u> Plant pollinator-friendly flora. Provide diverse and abundant pollinator and bird food sources (e.g. nectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall. (Refer to the Apex <a href="#">Design &amp; Development Manual</a> for suggested native species).</p> <p>a. The project shall select and install tree, shrub and perennial species with special attention to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall.</p> <p align="center"><b>OR</b></p> <p>b. The project shall ensure that ____% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p> <p><u>Option 10.2:</u> Retain and protect old ponds if the dam is structurally sound.</p> <p>To preserve and protect existing species, existing ponds shall be preserved if structurally sound.</p> <p><u>Option 10.3:</u> Increase the number of native tree and shrub species selected.</p> <p>a. The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for the canopy, understory and shrub levels. A minimum of ____% of the species selected shall be native or a native of North Carolina.</p> <p align="center"><b>OR</b></p> <p>b. No invasive species shall be permitted. No single species of tree or shrub shall constitute more than 20% of the plant material of its type within a single development site.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 11. Implement green infrastructure.</b></p> <p><u>Option 11.1:</u> Plant rain gardens.</p> <p>The project shall install one or more rain gardens throughout the site.</p> <p><u>Option 11.2:</u> Install vegetated rooftops.</p> <p>a. The project shall install a vegetated rooftop, aka green roof, on each building.</p> <p align="center"><b>OR</b></p> <p>b. The project shall install a vegetated rooftop, aka green roof, on at least ____ft<sup>2</sup> of each building.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Advisory Board – Suggested Zoning Conditions**

<b>PLANTING AND LANDSCAPING (8-15)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<p><u>Option 11.3:</u> Implement xeriscaping in design.</p> <p>a. The project commits to planting ____% drought tolerant native plants. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p> <p align="center"><b>OR</b></p> <p>b. The project commits to planting only drought tolerant plants. At least ____% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p> <p align="center"><b>OR</b></p> <p>c. To reduce irrigation requirements, the project shall select and plant only warm season grasses.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 12. Install community gardens and native pollinator demonstration gardens.</b> The project shall plant at least ____ native pollinator demonstration garden within the development. The developer shall coordinate with a local or state agency that specializes in the design or certification of such gardens. Informational signage regarding the purpose of the garden and selected vegetation shall be provided.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 13. Improve soil quality to be amenable for a variety of native and non-invasive plantings.</b> To encourage the establishment of healthy plants, reduce fertilizers, and reduce stormwater runoff, topsoil shall be retained on site and a minimum of 4 inches of topsoil shall be placed within disturbed areas.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 14. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas).</b> The UDO requires a ____-foot buffer along the ____perimeter of the property. The applicant is proposing a ____-foot buffer in that location, which would be an increase of ____-feet above the requirement.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Goal 15. Add information signage or other marking at the boundary of lots when they are adjacent to a wooded or natural condition resource conservation area (RCA) indicating that the area beyond the sign is RCA and is not to be disturbed.</b></p> <p>a. The project shall install signage adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.</p> <p align="center"><b>OR</b></p> <p>b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>SUSTAINABLE BUILDINGS (16)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<p><b>Goal 16. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard.</b> The project shall be designed to meet the requirements for ____green building certification. A third-party consultant shall be hired to evaluate the project and certify to the Town of Apex that the project meets the standards for the certification. The applicant shall forward a copy of the certification application to the Town of Apex Planning Department to verify that the application has been submitted.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>WASTE REDUCTION (17)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 17. Install pet waste stations in public areas for multi-family, apartments, or condominiums or dog friendly businesses.</b>			



**Environmental Advisory Board – Suggested Zoning Conditions**

<b>WASTE REDUCTION (17)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
The project shall install at least _____ pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>CLEAN ENERGY (18-20)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 18. Install rooftop solar on buildings.</b>			
a. A solar PV system shall be incorporated into buildings to be constructed on the property. Such PV systems shall have a capacity of not less than 2 kW/1,000 heated square feet of building floor area. <b>OR</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. A solar PV system of at least 3.5kW shall be installed on at least _____% of or _____ buildings within the development. All solar installation required by this condition shall be completed or under construction prior to _____% of the building permits being issued for the development. The buildings on which these PV systems are located shall be identified on the Site Plan, which may be amended from time to time. <b>OR</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The amenity center for the project shall include a rooftop solar PV system with a capacity of at least _____ kWhs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 19. Include solar conduit in building design.</b>			
The project shall install conduit for solar energy systems for all non-residential buildings. The roof shall also be engineered to support the weight of a future rooftop solar PV system.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 20. Encourage clean transportation.</b>			
a. The installation of EV charging spaces shall not reduce the width of adjacent sidewalk to less than 5 feet. <b>AND/OR</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. EV charging spaces shall be located such that the cords shall not cause a trip hazard. <b>AND/OR</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The developer shall provide 5% of all parking spaces as EV charging spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>LIGHTING EFFICIENCY (21-24)</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Goal 21. Include energy efficient lighting in building design.</b>			
<u>Option 21.1:</u> Increase the use of LEDs. The exterior lighting for all multi-family and commercial buildings and parking lots will consist entirely of LED fixtures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Option 21.2:</u> Lower maximum foot-candles outside of buildings. On the lighting plan, the average footcandle measurement for parking, building lighting and driveways shall be at least <u>0.5</u> footcandles lower than the UDO requires.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 22. Install timers or light sensors or smart lighting technology.</b>			
a. The project shall install light timers, motion sensors, or other smart lighting technology for all exterior lighting.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Goal 23. Include International Dark Sky Association compliance standards.</b>			
The project shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Advisory Board – Suggested Zoning Conditions

<b>Applicant Clarification/Additional Language:</b>
<b>Additional Board Recommendations:</b>

# 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.

April 22, 2025

Date

Dear Neighbor:

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

2701, 2625, 2525, 2529, 2537 New Hill Olive Chapel Rd

0710931641, 0710940061, 0710940436, 0710846444

0710847301

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>. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

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	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

\*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

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

The applicant seeks to rezone the property to Medium Density Residential- Conditional Use (MD-CZ), and amend the Land Use Map Designation to Low Density Residential to facilitate the development of a single-family dwelling community.

Estimated submittal date: Application submitted March 3, 2025

## MEETING INFORMATION:

Property Owner(s) name(s): See Attachment A

Applicant(s): Jason Barron, Morningstar Law Group

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

Meeting Address: <https://morningstarlaw.group/02262025.mtg>

Date/Time of meeting\*\*: May 7, 2025 5:30pm-6:30pm

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45 Question & Answer: 5:45pm-6:30pm

\*\*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>.



# 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: New Olive Chapel Road Assemblage Rezoning Zoning: Medium Density Residential

Location: See Attachment A

Property PIN(s): See Attachment A Acreage/Square Feet: 15.87

Property Owner: See Attachment A

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

Developer: Perry Verille c/o Davidson Homes

Address: 1903 North Harrison Avenue, Suite 200

City: Raleigh State: NC Zip: 27513

Phone: (919) 650-9205 Fax: \_\_\_\_\_ Email: pverille@davidsonhomesllc.com

Engineer: Withers Ravenel c/o Ed Tang

Address: 115 MacKenan Drive

City: Cary State: NC Zip: 27511

Phone: (919) 469-3340 Fax: \_\_\_\_\_ Email: etang@withersravenel.com

Builder (if known): Perry Verille c/o Davidson Homes

Address: 1903 North Harrison Avenue, Suite 200

City: Raleigh State: NC Zip: 27513

Phone: (919) 650-9205 Fax: \_\_\_\_\_ Email: pverille@davidsonhomesllc.com

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

## Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
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 2<sup>nd</sup> and 4<sup>th</sup> 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](mailto: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.

<b>Noise &amp; Hours of Construction:</b>	<b>Non-Emergency Police</b>	<b>919-362-8661</b>
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 am to 8:30 pm 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-Friday from 8:00 am to 5:00 pm. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.		
<b>Construction Traffic:</b>	<b>Infrastructure Inspections</b>	<b>919-249-3386</b>
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).		
<b>Road Damage &amp; Traffic Control:</b>	<b>Infrastructure Inspections</b>	<b>919-249-3386</b>
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 Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.		
<b>Parking Violations:</b>	<b>Non-Emergency Police</b>	<b>919-362-8661</b>
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.		
<b>Dirt in the Road:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.		
<b>Dirt on Properties or in Streams:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
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 by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.		
<b>Dust:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.		
<b>Trash:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.		
<b>Temporary Sediment Basins:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.		
<b>Stormwater Control Measures:</b>	<b>Water Resources</b>	<b>919-362-8166</b>
Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at <a href="https://www.apexnc.org/1173/">https://www.apexnc.org/1173/</a> or by calling the number listed.		
<b>Electric Utility Installation:</b>	<b>Rodney Smith</b>	<b>919-249-3342</b>
Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department. Contact Rodney Smith at 919-249-3342.		



## How to Participate in the May 7, 2025 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/05072025.mtg> to register for the meeting. (Registration is necessary as we are required by the Town of Apex to have a record of attendance.)

- Upon registration, you will receive a confirmation email with instructions on how to access the meeting.
- To participate by phone,
- Dial one of the following numbers:
  - +1 929 436 2866
  - +1 301 715 8592
  - +1 305 224 1968
  - +1 312 626 6799
  - +1 646 931 3860
  - +1 719 359 4580
  - +1 253 205 0468
  - +1 253 215 8782
  - +1 346 248 7799
  - +1 360 209 5623
- Webinar ID: 843 2947 1360
- Passcode: 064440
- For attendance purposes as required by the Town of Apex, individuals participating via telephone will be unmuted and asked to identify themselves including their name and address.

REGISTRATION QR



If you have difficulty registering, you may call Leticia Shapiro at **(919) 590-0366** or email **[tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com)** prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email **[tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com)** and the meeting link will be sent to help assist.

During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will either unmute you to allow you to speak to solicit your questions/comments.

If you are participating via telephone, you can submit questions/comments prior to and during the meeting via email at **[tshapiro@morningstarlawgroup.com](mailto:tshapiro@morningstarlawgroup.com)**.

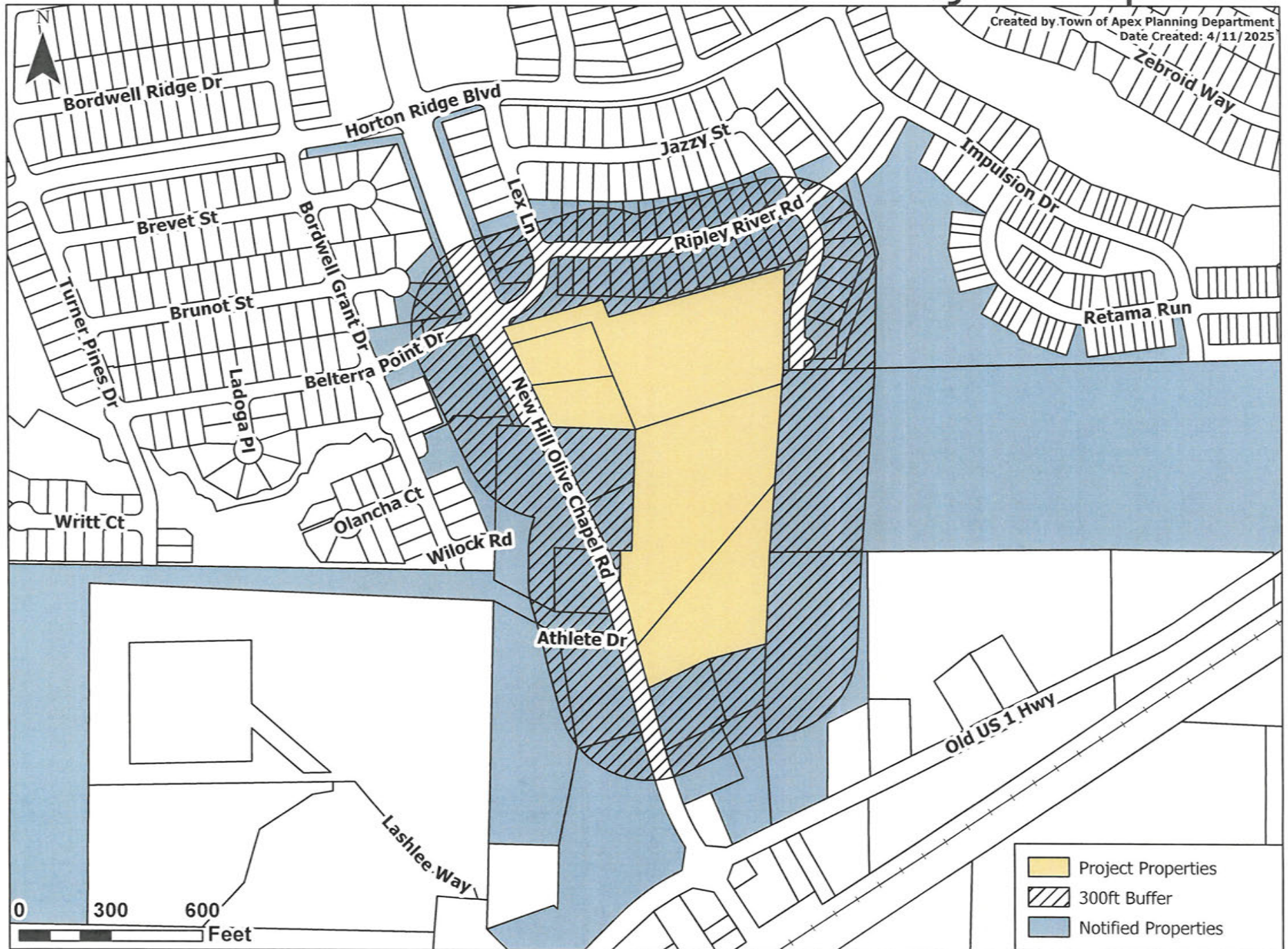
## Attachment A

### Property Information

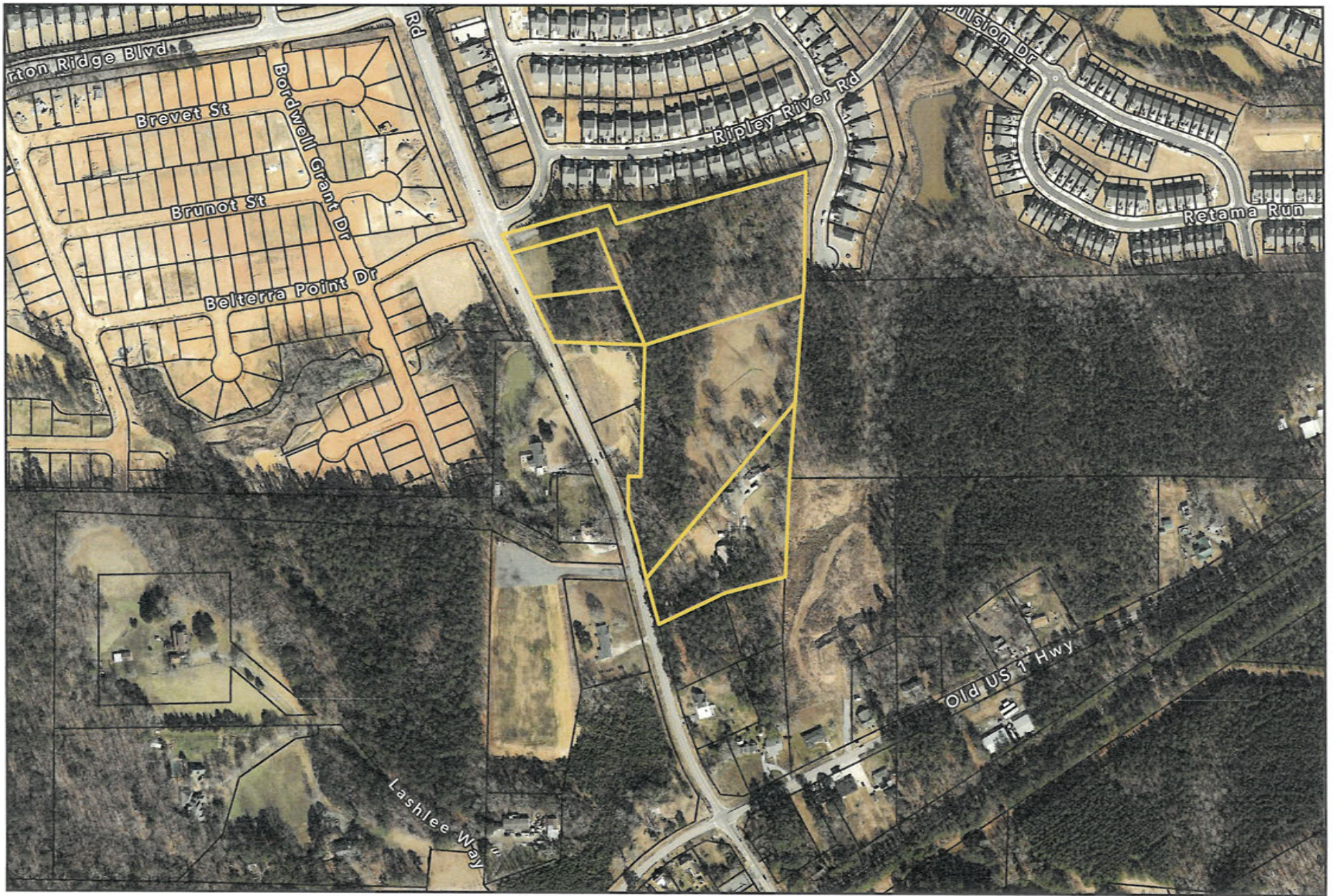
Property Owner(s)	County Parcel Number(s)	Real Estate ID(s)	Property Address	Deeded Acres
Hudson, Claude Lee Jr Hudson, Judy A	0710931641	0142279	2701 New Hill Olive Chapel Road	3.18
Davidson Homes LLC	0710940061	0142280	2625 New Hill Olive Chapel Road	5.87
Atkins, Laura B	0710940436	0142281	2525 New Hill Olive Chapel Road	5.42
Atkins, Laura B	0710846444	0080811	2529 New Hill Olive Chapel Road	1.14
Atkins, Laura B	0710847301	0080809	2537 New Hill Olive Chapel Road	1.09
			Total acreage w/o ROW dedication. (Site Area 15.87 acres)	TOTAL: 16.7



# Notified Properties within 300ft of the Project Properties







Vicinity Map



0 200 400 800 ft  
1 inch equals 400 feet

**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.



# PROPOSED LONG RANGE MAP AMENDMENT



Current 2045 Land Use Map:

- Medium Density Residential
- Office Employment
- Commercial Services



Proposed 2045 Land Use Map:

- Medium Density Residential

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
3235 RIPLEY RIVER RD	0710943851	ALBRECHT, PHILLIP M ALBRECHT, RACHEL M	3235 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3520 OLD US 1 HWY	0710934464	APEX FIRST IN-VESTMENTS LLC	5448 APEX PEAKWAY # 222	APEX NC 27502-3924
2525 NEW HILL OLIVE CHAPEL RD	0710940436	ATKINS, LAURA B	PO BOX 217	NEW HILL NC 27562-0217
2725 JAZZY ST	0710944590	BAPAT, VIKRAM KHAN, ZARINA S	2725 JAZZY ST	NEW HILL NC 27562-9328
3312 OLD US 1 HWY	0720046146	BARBOUR, LINDA BARKER	PO BOX 252	NEW HILL NC 27562-0252
2713 JAZZY ST	0710945752	BAUTISTA MENDOZA, ROBERTO I BAUTISTA, EMILY	2713 JAZZY ST	NEW HILL NC 27562-9328
3272 RIPLEY RIVER RD	0710848878	BRANCH, PETER J BRANCH, TONI ANN	3272 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2704 NEW HILL OLIVE CHAPEL RD	0710837363	BROADWELL, ANNIE RUTH L TRUSTEE BROADWELL FAMILY TRUST	2704 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9176
3268 RIPLEY RIVER RD	0710849828	BULUSU, SUNIL GUNTURU, MADHAVI	3268 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3267 RIPLEY RIVER RD	0710849750	BYLER, BRIAN D BYLER, ALLISON C	3267 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2701 JAZZY ST	0710945933	CARPENTER, DAVID H BEAULIEU, TAMMY M	2701 JAZZY ST	NEW HILL NC 27562-9328
3300 BRUNOT ST	0710842702	CHERUKU, SACHIN REDDY MANDALA, SRIASHA REDDY	3300 BRUNOT ST	NEW HILL NC 27562-7701
3285 RIPLEY RIVER RD	0710847700	CHU, CLIFFORD S CHU, CATHERINE	3285 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2609 NEW HILL OLIVE CHAPEL RD	0710847161	CUSUMANO, JOSEPH DAVID CUSUMANO, REAGAN LAYNE	2609 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9175
2625 NEW HILL OLIVE CHAPEL RD	0710940061	DAVIDSON HOMES LLC	336 JAMES RECORD RD SW	HUNTSVILLE AL 35824-1514
3305 BRUNOT ST	0710841559	DEY, VICTOR DEY, LIPIKA	3305 BRUNOT ST	NEW HILL NC 27562-7701
2620 NEW HILL OLIVE CHAPEL RD	0710836780	DHILLON, HARDIP SINGH DHILLON, GURMINDER KAUR	5785 OLD US 1 HWY	NEW HILL NC 27562-8965
3276 RIPLEY RIVER RD	0710848827	DIAZ, ARTURO VARGAS SALINAS PALMA, IVETTE S	3276 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3259 RIPLEY RIVER RD	0710940752	DOSSLIN, FNU ANISH SUDARSHAN, SAHANA	3259 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3279 RIPLEY RIVER RD	0710847760	GALLIGAN, MICHAEL JOSEPH GALLIGAN, SHANNON	3279 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2717 JAZZY ST	0710945625	GOYANI, JAYDEEP HIMMATBHAI GOYANI, NEHABEN JAYDEEP	2717 JAZZY ST	NEW HILL NC 27562-9328
3284 RIPLEY RIVER RD	0710847828	HARRISON, JILL MARIE HARRISON, BRYAN A	3284 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3247 RIPLEY RIVER RD	0710942706	HESEN, ERIC M HESEN, KIMBERLY E	3247 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2600 NEW HILL OLIVE CHAPEL RD	0710835932	HICKS, MICHAEL N HICKS, ASHLEY FAY	2600 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9174
2619 NEW HILL OLIVE CHAPEL RD	0710838911	HOUGHTON, MICHAEL J DOBBINS, ASHLEY M	2619 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9175
2701 NEW HILL OLIVE CHAPEL RD	0710931641	HUDSON, CLAUDE LEE JR HUDSON, JUDY A	PO BOX 7	NEW HILL NC 27562-0007
2709 JAZZY ST	0710945779	JOHNSTON, JOHN REED IV JOHNSTON, CYNTHIA L	2709 JAZZY ST	NEW HILL NC 27562-9328
0 BELTERRA POINT DR	0710840590	KB HOME RALEIGH-DURHAM INC	1800 PERIMETER PARK DR STE 140	MORRISVILLE NC 27560-8464
2685 JAZZY ST	0710954084	KEANE, DEREK KEANE, JESSICA	2685 JAZZY ST	NEW HILL NC 27562-9327
3244 RIPLEY RIVER RD	0710941974	KIPROVSKI, BORIS KIPROVSKI, PAOLA A	3244 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2705 JAZZY ST	0710945866	LEAL, KEITH LEAL, ERIN M	2705 JAZZY ST	NEW HILL NC 27562-9328
3239 RIPLEY RIVER RD	0710943709	LEWIS, KEITH AUSTIN CO-TRUSTEES LEWIS, AMBER DAWN CO-TRUSTEES	3239 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3240 RIPLEY RIVER RD	0710942925	LU, YUANCHEN HU, RUI	3240 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3255 RIPLEY RIVER RD	0710941703	MARIAN, VLAD MARIAN, RALUCA IOANA	3255 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3248 RIPLEY RIVER RD	0710941932	MCALLISTER, JESSICA LOUISE MCALLISTER, WILLIAM CRAWFORD JR	3248 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3231 RIPLEY RIVER RD	0710944803	MCLENDON, KEITH O'BRIEN MCLENDON, SHARON HASTY	3231 RIPLEY RIVER RD	NEW HILL NC 27562-9329
8621 ATHLETE DR	0710835242	MENAGE LLC	255 OAK HAVEN LN	APEX NC 27523-5803
2628 LEX LN	0710844852	NAGESH, RAJ HARRIS, RACHAEL	2628 LEX LN	NEW HILL NC 27562-9326
3271 RIPLEY RIVER RD	0710849700	NANDAKUMAR, SRIRAMKUMAR TRUSTEE SAMPATH, PAVITHRA TRUSTEE	3271 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3230 RIPLEY RIVER RD	0710953030	NGUYEN, NGUYEN VO NGUYEN, THINH D	3230 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2636 LEX LN	0710844791	NUKALA, HARISH REDDY YERVA, THANVI	2636 LEX LN	NEW HILL NC 27562-9326
2721 JAZZY ST	0710945509	RODRIGUEZ FUENTES, PATRICIA Y MEDINA, MARCOS RODRIGUEZ	2721 JAZZY ST	NEW HILL NC 27562-9328
2632 LEX LN	0710844777	SANDHU, GURSHARAN SANDHU, RAJNEET KAUR	2632 LEX LN	NEW HILL NC 27562-9326
3288 RIPLEY RIVER RD	0710846878	SATOO, NIGEL CASTILLO, JERIKA	3288 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3600 OLD US 1 HWY	0710827861	SHRI VARNI LLC	1812 VENEZIA WAY	APEX NC 27502-4740
3236 RIPLEY RIVER RD	0710942977	SRISKANDA, AHILA NESA	3236 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3262 RIPLEY RIVER RD	0710849879	STEINBACK, ZACHARY DANIEL STEINBACK, MORGAN ALISE	3262 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3289 RIPLEY RIVER RD	0710846750	SUMMERS, DESMOND LEE, REBECCA W	3289 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3292 RIPLEY RIVER RD	0710846809	SUTER, JOHN ERIC SUTER, LINDSAY JANE	3292 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3258 RIPLEY RIVER RD	0710940920	SUTHERLAND, ALDEN JAMES SUTHERLAND, TAMMY LARAE	3258 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3280 RIPLEY RIVER RD	0710847878	SYAL, SAMIR MORGAN, DANA	3280 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2624 LEX LN	0710844847	TENN, DAVID LEE, ELENA C	2624 LEX LN	NEW HILL NC 27562-9326
3263 RIPLEY RIVER RD	0710940701	TIERNEY, CLINTON A TIERNEY, JENNIFER M	3263 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3251 RIPLEY RIVER RD	0710941754	TRIPATHI, RAKESH KADEL, ANJANA	3251 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3252 RIPLEY RIVER RD	0710940981	UPTON, DAVID MARSHALL UPTON, ELIZABETH BERGER	3252 RIPLEY RIVER RD	NEW HILL NC 27562-9329
3301 BRUNOT ST	0710842633	VENKANNA, RAJU KATTIMANI CHANDRAPPA, BINDU GOVINAKOVI	3301 BRUNOT ST	NEW HILL NC 27562-7701
3243 RIPLEY RIVER RD	0710942757	WILLIAMS, JEREMY K WILLIAMS, JULIE R	3243 RIPLEY RIVER RD	NEW HILL NC 27562-9329
0 LEX LN	0710844664	WOODBURY PROPERTY HOMEOWNERS ASSOCIATION INC	PO BOX 97243	RALEIGH NC 27624-7243
3528 OLD US 1 HWY	0710932040	WTR HISTORIC PROPERTIES LLC	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
3275 RIPLEY RIVER RD	0710848740	XIA, LIJUN LIU, RONG	3275 RIPLEY RIVER RD	NEW HILL NC 27562-9329
2709 NEW HILL OLIVE CHAPEL RD	0710930350	YOUNG, LORETTA ROUNDY	2717 NEW HILL OLIVE CHAPEL RD	NEW HILL NC 27562-9177
		APEX TOWN OF	PO BOX 250	APEX NC 27502
		Current Tenant	2525 New Hill Olive Chapel RD	NEW HILL NC 27562
		Current Tenant	2620 New Hill Olive Chapel RD	NEW HILL NC 27562
		Current Tenant	2701 New Hill Olive Chapel RD	NEW HILL NC 27562
		Current Tenant	3312 Old US 1 HWY	NEW HILL NC 27562
		Current Tenant	3520 Old US 1 HWY	NEW HILL NC 27562
		Current Tenant	3528 Old US 1 HWY	NEW HILL NC 27562
Created by Town of Apex Planning Department				
Date Created: 4/11/2025				



# New Hill Olive Chapel Rd Neighborhood Meeting

## Rezoning

5/7/2025, 5:30pm – 6:30pm

The applicant provided a summary of the Town of Apex rezoning process and long range plan amendment regarding the relevant parcels showing an aerial view for context. In addition, the applicant presented the overall plan for development. After the applicant's presentation, participants asked the following questions:

1. Is the updated site plan available? **Not at this time. The site plan is still in process.**
2. Did Apex's required connections affect the site layout?  
**The applicant is required to accommodate the UDO required connections as it develops the site plan.**
3. Is there concern about connecting US-1 through the subdivision? **It would direct business traffic through a residential area and may not be feasible due to a stream on the south side**
4. Are there environmental barriers to building the connector?  
**Yes, there is an intermittent stream to the south.**
5. Is Lenar trying to acquire land to the east of the site?  
**We are not aware of this.**
6. Will Davidson Homes need to widen New Hill Olive Chapel Road?  
**Yes, there are required frontage improvements.**
7. That means giving up a little bit of a right-a-way, correct?  
**Yes, that is for any project.**
8. Is the Town planning to acquire the remaining frontage?  
**No confirmed plans.**
9. Has the second neighborhood meeting already occurred?  
**This is the second neighborhood meeting.**
10. Are there plans to upgrade Richardson Road?  
**Not related to this project.**

Registration Report

Report generated time

Topic

New Hill Olive Chapel Rd Neighborhood Meeting

Attendee Details

First Name

Joanna

Colin

5/21/2025 10:46

ID

843 2947 1360

Scheduled Time

5/7/2025 17:30

Duration (minutes)

# Registrants

60

# Cancelled registrants

2

# Approved registrants

0

# Denied registrants

2

0

Last Name

M

MacNair

Email



Registration Time

5/1/2025 17:05 approved

5/7/2025 17:35 approved

Approval Status

# 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, Leticia L. Shapiro, do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, 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 Zoom platform (location/address) on May 7, 2025 (date) from 5:30pm (start time) to 6:30pm (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.

May 21, 2025

Date

By:

Leticia L. Shapiro

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Paula H. Zorio, a Notary Public for the above State and County, on this the 21<sup>st</sup> day of May, 2025.

SEAL

PAULA H. ZORIO  
NOTARY PUBLIC  
WAKE COUNTY, N.C.

Paula H. Zorio

Notary Public

Paula H. Zorio

Print Name

My Commission Expires:

3/26/29





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #25CZ06  
New Hill Olive Chapel Road Assemblage

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:** Mark Altman, Davidson Homes, LLC

**Authorized Agents:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group

**Property Addresses:** 2525, 2529, 2537, 2625, & 2701 New Hill Olive Chapel Rd

**Acreage:** ± 16.51 acres

**Property Identification Numbers (PINs):** 0710931641, 0710940061, 0710940436, 0710846444, & 0710847301

**Current 2045 Land Use Map Designation:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** Medium Density Residential

**Existing Zoning of Properties:** Wake County Residential-40 Watershed (R-40W)

**Proposed Zoning of Properties:** Medium Density Residential-Conditional Zoning (MD-CZ)

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

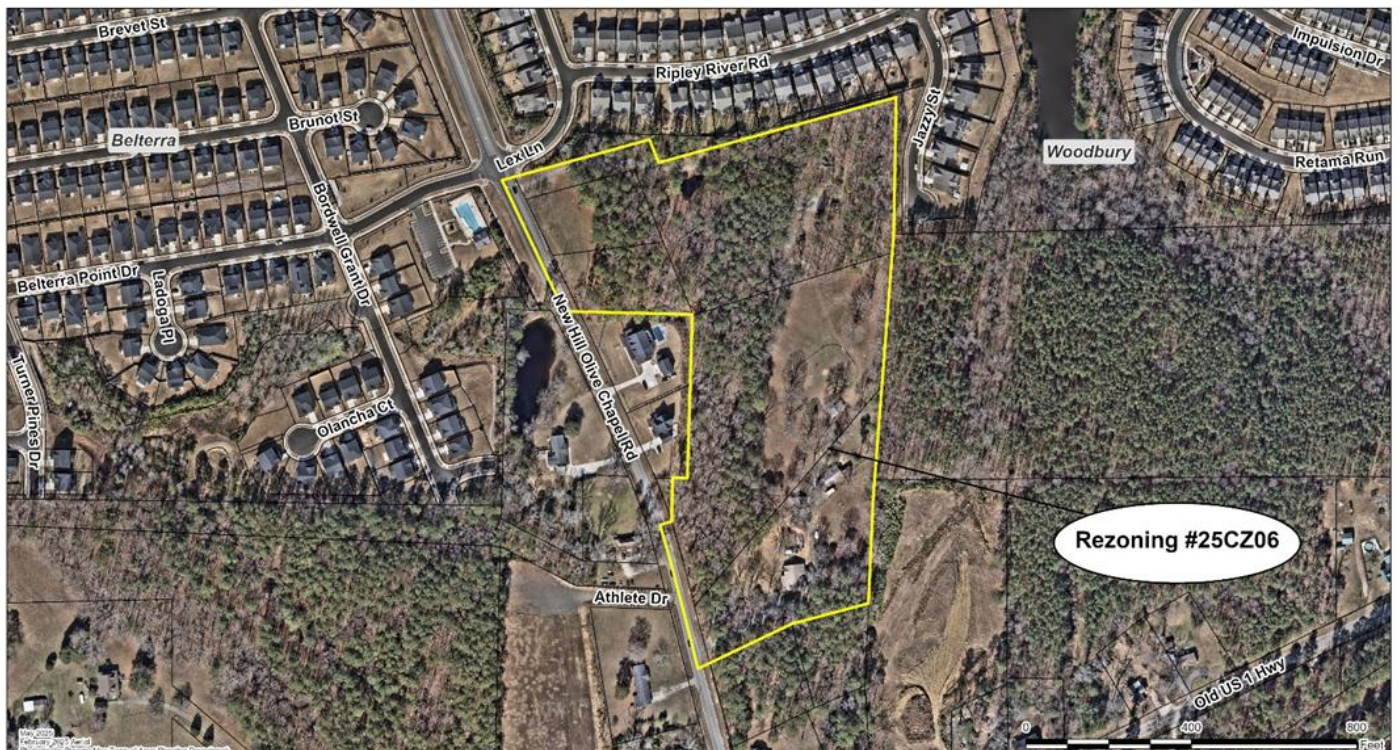
### **Planning Board Public Hearing Date and Time: June 9, 2025 4:30 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at:  
<https://www.youtube.com/c/townofapexgov>.

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, Jeri Pederson (322 N. Mason 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.

**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, Planning Department, with questions or for further information. To view the petition and related documents on-line: [https://www.apexnc.org/DocumentCenter/View/50015](http://www.apexnc.org/DocumentCenter/View/50015).

Dianne F. Khin, AICP  
Planning Director





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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

### ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ06

#### New Hill Olive Chapel Road Assemblage (Desarrollo de Unidad Planificada)

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:** Mark Altman, Davidson Homes, LLC

**Agente autorizado:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group

**Dirección de las propiedades:** 2525, 2529, 2537, 2625 & 2701 New Hill Olive Chapel Rd

**Superficie:** ± 16.51 acres

**Números de identificación de las propiedades:** 0710931641, 0710940061, 0710940436, 0710846444, & 0710847301

**Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**Si el cambio de zonificación es aprobado como se propone, el Mapa de Uso del Suelo para 2045 cambiará a:** Medium Density Residential

**Ordenamiento territorial existente de las propiedades:** Wake County Residential-40 Watershed (R-40W)

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

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

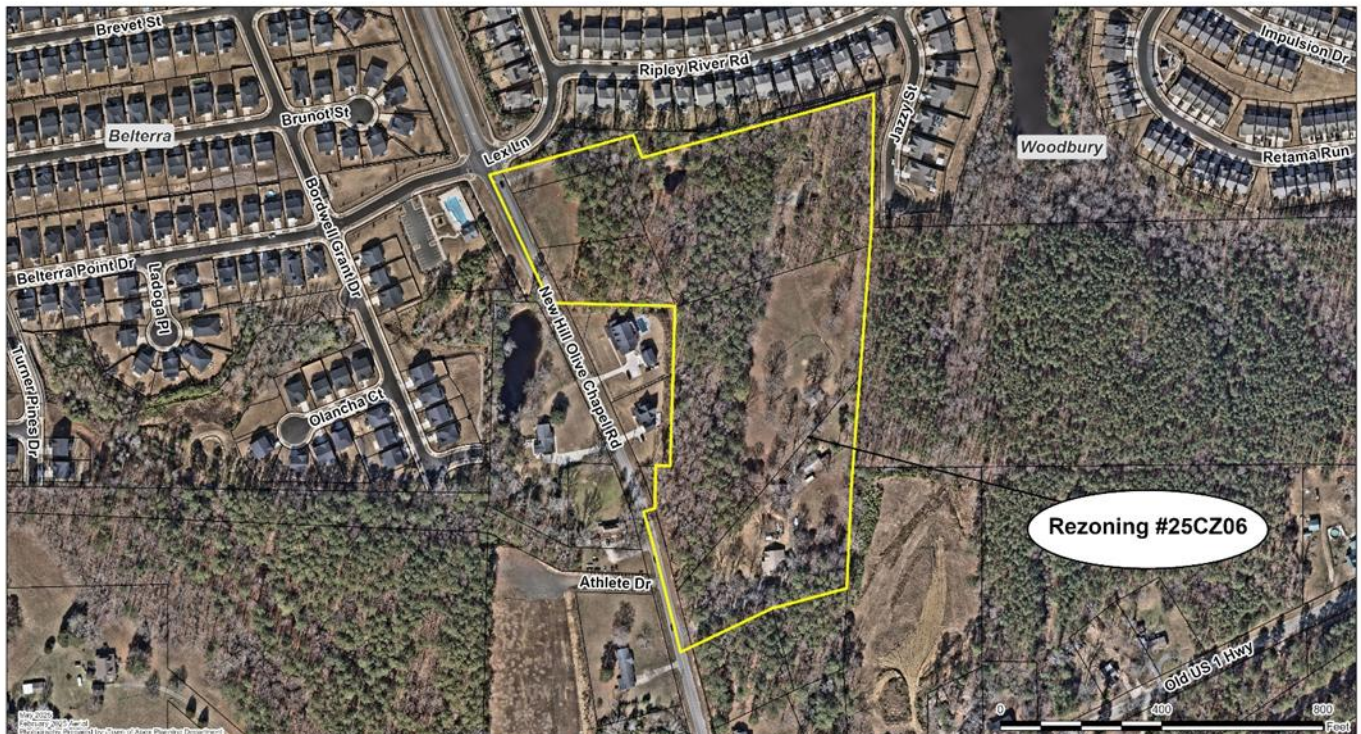
**Fecha y hora de la audiencia pública de la Junta de Planificación:** 9 de junio de 2025 4:30 P.M.

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>.

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, Jeri Pederson (322 N. Mason 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.

**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 al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/50015>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 23 de mayo 2025 - 9 de junio 2025





## TOWN OF APEX

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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

### ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ06

#### New Hill Olive Chapel Road Assemblage

(Desarrollo de Unidad Planificada)

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

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

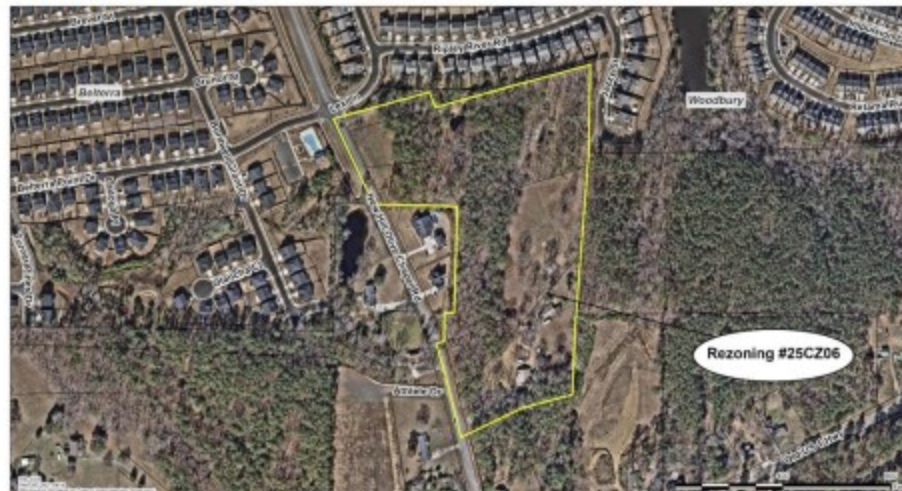
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Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 23 de mayo 2025 - 9 de junio 2025





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #25CZ06 New Hill Olive Chapel Road Assemblage

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:** Mark Altman, Davidson Homes, LLC

**Authorized Agents:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group

**Property Addresses:** 2525, 2529, 2537, 2625, & 2701 New Hill Olive Chapel Rd

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**Current 2045 Land Use Map Designation:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** Medium Density Residential

**Existing Zoning of Properties:** Wake County Residential-40 Watershed (R-40W)

**Proposed Zoning of Properties:** Medium Density Residential-Conditional Zoning (MD-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: June 9, 2025 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>.

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, Jeri Pederson (322 N. Mason 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.

**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](https://www.apexnc.org/DocumentCenter/View/478). You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/50015>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: May 23, 2025 – June 9, 2025



## 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 #25CZ06 New Hill Olive Chapel Road Assemblage  
Project Location: 2525, 2529, 2537, 2625 & 2701 New Hill Olive Chapel Rd  
Applicant or Authorized Agents: Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group  
Firm: Davidson Homes, LLC and Morningstar Law Group  
Planning Board  
Public Hearing Date: June 9, 2025  
Project Planner: Bruce Venable

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on May 23, 2025, 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.

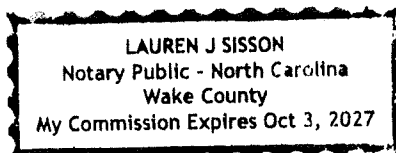
6/2/2025  
Date

Shayne L. Chen  
Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, LAUREN J Sisson, a Notary Public for the above

State and County, this the 2<sup>nd</sup> day of June, 2025.



[Signature]  
Notary Public

My Commission Expires: 10 / 3 / 2027





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #25CZ06

New Hill Olive Chapel Road Assemblage

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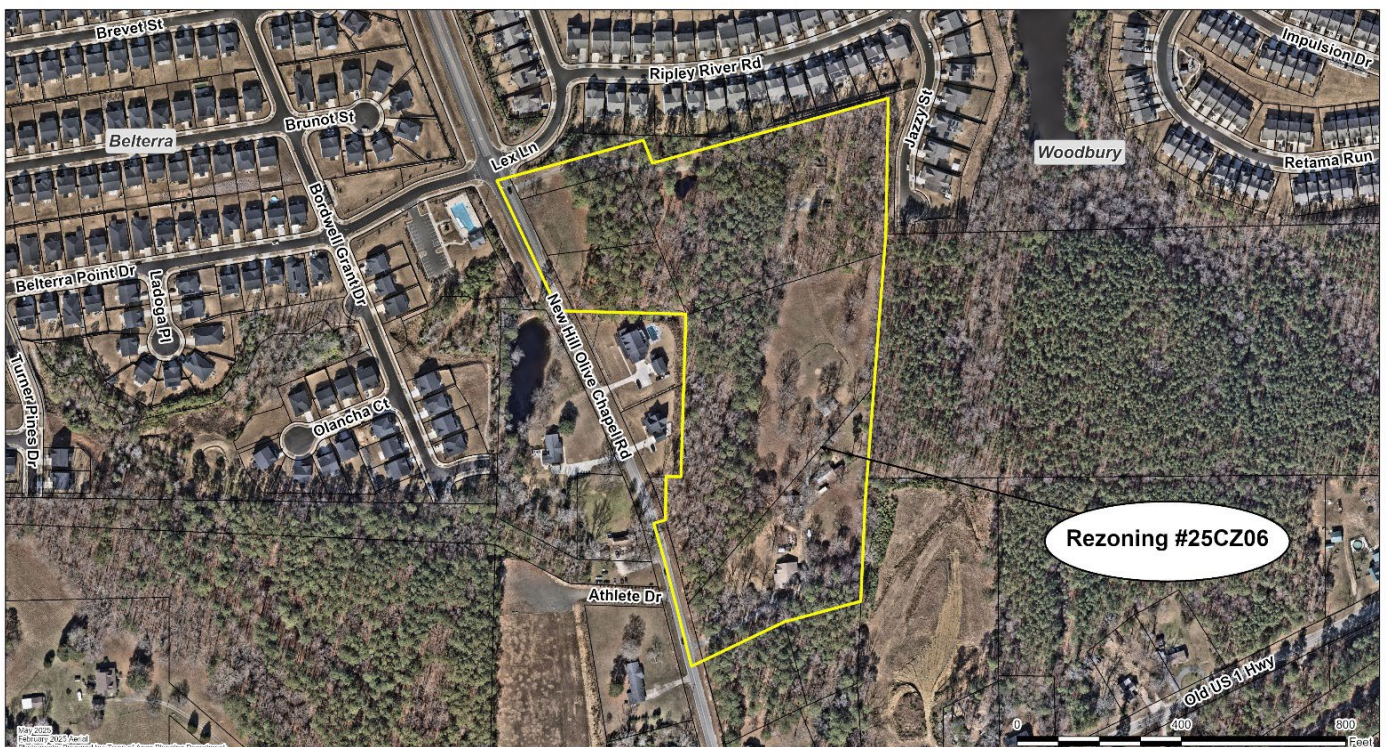
**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### **Town Council Public Hearing Date and Time: June 24, 2025, 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>.

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 Office of the Town Clerk (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 Town Council prior to their vote. Please include the Public Hearing name in the subject line.

### **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, Planning Department, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/50015>.

Dianne F. Khin, AICP  
Planning Director





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

## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

### ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ06

#### New Hill Olive Chapel Road Assemblage (Desarrollo de Unidad Planificada)

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:** Mark Altman, Davidson Homes, LLC

**Agente autorizado:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group

**Dirección de las propiedades:** 2525, 2529, 2537, 2625 & 2701 New Hill Olive Chapel Rd

**Superficie:** ± 16.51 acres

**Números de identificación de las propiedades:** 0710931641, 0710940061, 0710940436, 0710846444, & 0710847301

**Designación actual en el Mapa de Uso Territorial para 2045:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**Si el cambio de zonificación es aprobado como se propone, el Mapa de Uso del Suelo para 2045 cambiará a:** Medium Density Residential

**Ordenamiento territorial existente de las propiedades:** Wake County Residential-40 Watershed (R-40W)

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

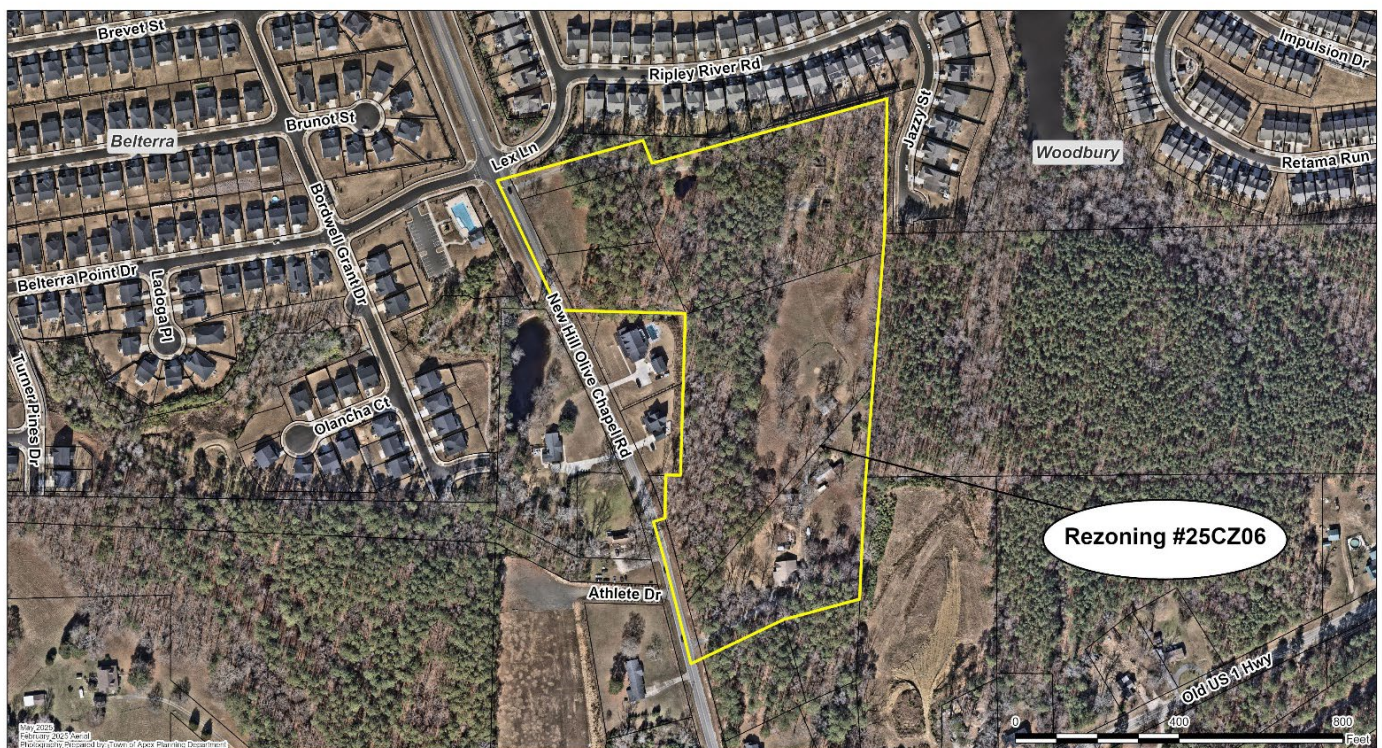
**Lugar de la audiencia pública:** Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública del Consejo Municipal:** 24 de junio de 2025, 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>.

Si no puede asistir, puede enviar una declaración por escrito por correo electrónico a [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), o presentarla en la Oficina del Secretario Municipal (73 Hunter Street o por correo USPS - 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 el registro. Las declaraciones escritas se entregarán al Concejo Municipal antes de su votación. Por favor, incluya el nombre de la Audiencia Pública en la línea de asunto.

#### 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 al 919-249-3426. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/DocumentCenter/View/50015>.

Dianne F. Khin, AICP  
Directora de Planificación





## TOWN OF APEX

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

## PUBLIC NOTIFICATION OF PUBLIC HEARINGS

### CONDITIONAL ZONING #25CZ06 New Hill Olive Chapel Road Assemblage

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:** Mark Altman, Davidson Homes, LLC

**Authorized Agents:** Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group

**Property Addresses:** 2525, 2529, 2537, 2625, & 2701 New Hill Olive Chapel Rd

**Acreage:** ± 16.51 acres

**Property Identification Numbers (PINs):** 0710931641, 0710940061, 0710940436, 0710846444, & 0710847301

**Current 2045 Land Use Map Designation:** Medium Density Residential, Medium Density Residential/Commercial Services, and Office Employment/Commercial Services

**If rezoned as proposed, the 2045 Land Use Map Designation will change to:** Medium Density Residential

**Existing Zoning of Properties:** Wake County Residential-40 Watershed (R-40W)

**Proposed Zoning of Properties:** Medium Density Residential-Conditional Zoning (MD-CZ)

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

#### **Town Council Public Hearing Date and Time: June 24, 2025, 6:00 PM**

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<https://www.youtube.com/c/townofapexgov>.

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Dianne F. Khin, AICP  
Planning Director

Published Dates: May 30, 2025 – June 24, 2025



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

**NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS**  
**ORDENAMIENTO TERRITORIAL CONDICIONAL #25CZ06**  
**New Hill Olive Chapel Road Assemblage**  
**(Desarrollo de Unidad Planificada)**

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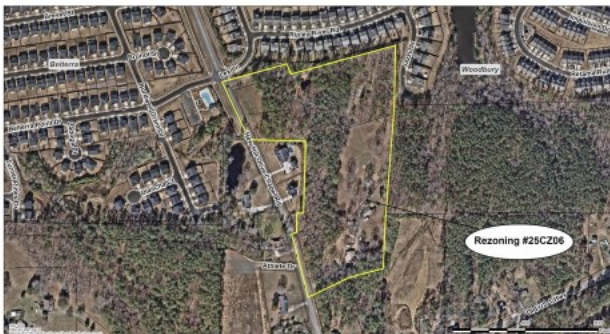
**Lugar de la audiencia pública:** Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

**Fecha y hora de la audiencia pública del Consejo Municipal:** 24 de junio de 2025, 6:00 P.M.

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**Mapa de las inmediaciones:**



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Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 30 de mayo 2025 – 24 de junio 2025





## 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 #25CZ06 New Hill Olive Chapel Road Assemblage  
Project Location: 2525, 2529, 2537, 2625 & 2701 New Hill Olive Chapel Rd  
Applicant or Authorized Agents: Mark Altman, Davidson Homes, LLC; Leticia Shapiro & Jason Barron, Morningstar Law Group  
Firm: Davidson Homes, LLC and Morningstar Law Group  
Town Council  
Public Hearing Date: June 24, 2025  
Project Planner: Bruce Venable

This is to certify that I, as Planning Director, mailed or caused to have mailed by first class postage for the above mentioned project on May 30, 2025, 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.

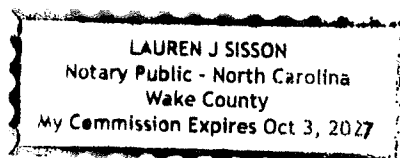
6/2/2025  
Date

Shaine F. Khin  
Planning Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Lauren J Sisson, a Notary Public for the above

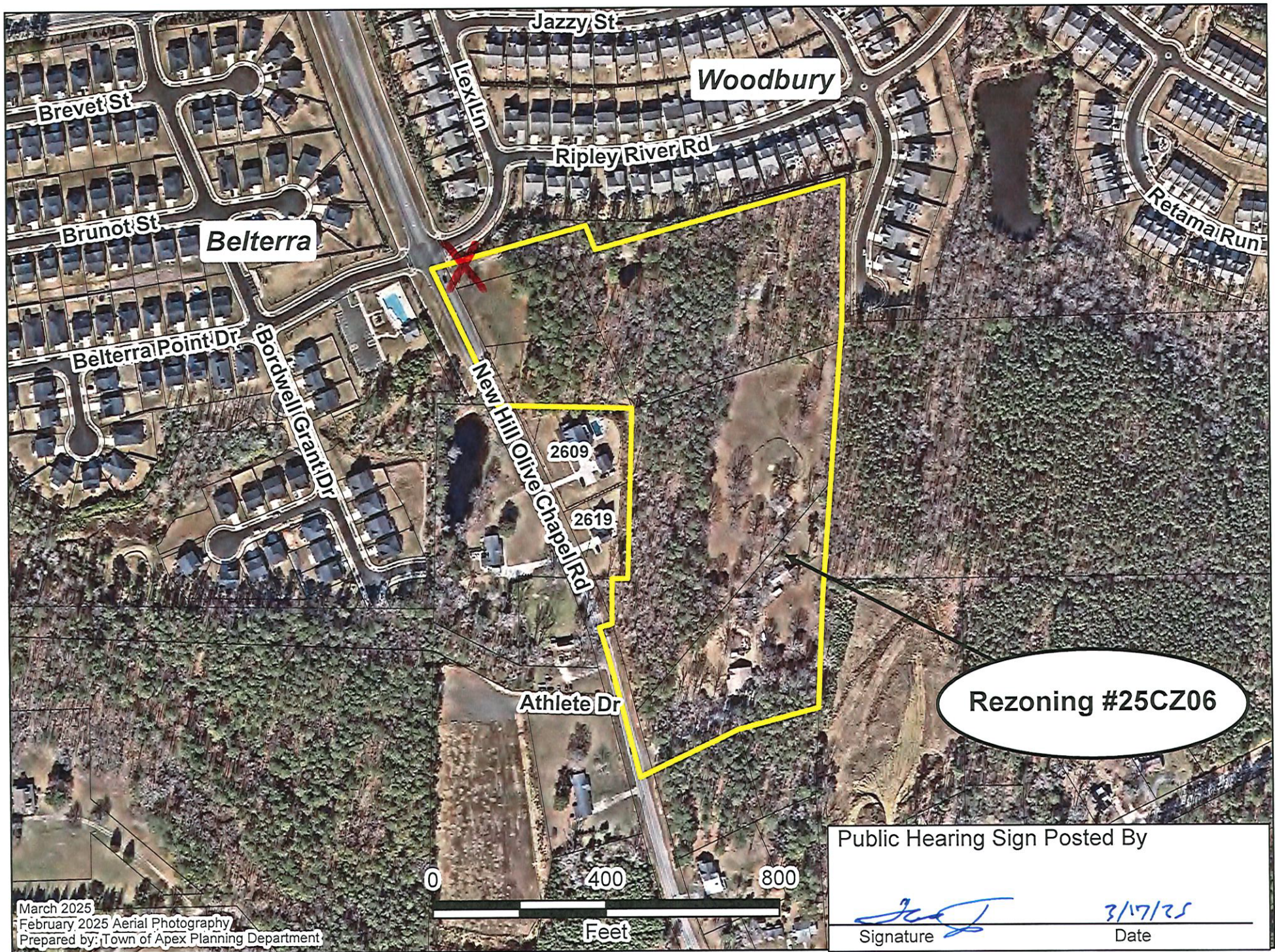
State and County, this the 2<sup>nd</sup> day of June, 2025.



[Signature]  
Notary Public

My Commission Expires: 10/3/2027





March 2025  
February 2025 Aerial Photography  
Prepared by: Town of Apex Planning Department

Public Hearing Sign Posted By

*[Signature]*  
Signature

3/17/25  
Date

Rezoning #25CZ06





**WAKE COUNTY**  
**PUBLIC SCHOOL SYSTEM**

**Office of Student Assignment**

5625 Dillard Dr.  
Cary, NC 27518  
studentassignment@wcpss.net

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

April 8, 2025

Dianne Khin, AICP  
Director, Planning Department  
Town of Apex  
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: March 3, 2025
- Name of development: 25CZ06 New Hill Olive Chapel Rd Assemblage
- Address of rezoning: 2701, 2625, 2525, 2529, 2537, New Hill Olive Chapel Rd
- Total number of proposed residential units: 42
- 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 reassignment 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,

Susan W. Pullium, MSA  
Senior Director