

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

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: 3228 Olive Chapel Road

Applicant/Agent: Mark Bowles, Baker Residential / Jason Barron, Morningstar Law Group

Owners: James Lawrence and Katherine Chalk

PROJECT DESCRIPTION:

Acreage: ±41.02 acres

PIN: 0712810293

Current Zoning: Wake County Residential-80W (R-80W)

Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)

Current 2045 Land Use Map: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to:

Low Density Residential (north of Olive Chapel Road) and Rural
Transition Residential (south of Olive Chapel Road)

Town Limits: Outside – annexation is required at the time of rezoning

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North:	Planned Unit Development-Conditional Zoning (PUD-CZ #21CZ28); Wake County Residential-80W (R-80W)	Single-family Residential (Retreat at Cedar Crossing subdivision) and Single-family Residential
South:	Wake County Residential-80W (R-80W)	Vacant; North Carolina Wildlife Resources Commission Game Land
East:	Wake County Residential-80W (R-80W)	Single-family Residential
West:	Wake County Residential-80W (R-80W)	Single-family Residential

BACKGROUND:

The public hearing for this item was continued at the May 27, 2025 Town Council meeting.

EXISTING CONDITIONS:

The property is located on the north and south sides of Olive Chapel Road between the intersections of New Hill Olive Chapel Road and Richardson Road (See Figure 1: Project Location). The property includes the following:

North of Olive Chapel Road:

- Mature trees, several streams bisecting the property, open fields, and 3 ponds.
- Single-family residential house (H.T. Lawrence Farm House: Study List for the National Register of Historic Places) and several outbuilding structures.

South of Olive Chapel Road:

- Mature trees, streams along the west and east property line, and open fields.
- Single-family residential house and several outbuilding structures.

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



Figure 1: Project Location

NEIGHBORHOOD MEETING:

The applicant conducted three neighborhood meetings on July 11, 2024, February 19, 2025, and April 16, 2025. The neighborhood meeting reports are attached.

2045 LAND USE MAP:

The 2045 Land Use Map designates the subject property as Rural Density Residential. The proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) includes a maximum density of 1.6 units per acre which is inconsistent with the Rural Density Residential (1 unit per 5 acres) classification. The proposed PUD project includes 57 units north of Olive Chapel Road and includes 2 new lots for the existing and/or relocated historic house south of Olive Chapel Road. If the properties are rezoned as proposed, the 2045 Land Use Map will automatically be amended to Low Density Residential (maximum 3 units per acre) north of Olive Chapel Road and to Rural Transition Residential (maximum 1 dwelling unit per acre) south of Olive Chapel Road, per NCGS 160D-605(a).

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



WCPSS LETTER OF IMPACT:

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 elementary and high 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 grade level.

PROPOSED PLANNED UNIT DEVELOPMENT PLAN:

The applicant is proposing a Planned Unit Development Plan with uses and development standards as follows:

Permitted Uses:

The development includes residential uses. The Rezoned Lands may be used for, and only for, the uses listed below. The permitted uses are subject to the limitation and regulations stated in the UDO and any additional limitation 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.

- Single-family
- Accessory apartment*
- Park, active
- Park, passive
- Recreation facility, private
- Utility, minor

**Homeowners Association covenants shall not restrict the construction of accessory dwelling units.*

Proposed Design Controls:

Residential:

Proposed Land Area:	41.02 acres
Maximum Number of Units:	57 units
Maximum Density:	1.6 units per acre
Minimum Lot Size:	7,500 sf
Maximum Building Height:	35 feet, 3 stories
Maximum Built-Up Area:	25%

Setbacks:

	Proposed Minimum Setbacks	
Single-family Detached	Front	20'
	Side	5'
	Rear	20'
	Corner Side	10'
	Minimum from Buffer/RCA	10' for buildings 5' for parking areas
Recreation Facility, Private	Front	10'
	Side	10'
	Rear	10'
	Minimum from Buffer/RCA	10' for buildings 5' for parking areas

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



Proposed RCA & Buffers

UDO Sec. 8.1.2.C *Size of the RCA*, does not require Resource Conservation Area (RCA) for developments with a density of 2.0 units per acre or less. However, the proposed project is providing 40% (14.3 acres) of the project site as RCA.

Residential Buffers:

Buffers:	UDO Required	Proposed
Perimeter Buffers	20 ft. Type B and 15 ft Type A	20 ft. Type B
Thoroughfare buffer (Olive Chapel Rd)	30 ft. Type B	50 ft. Type B
Thoroughfare buffer (Olive Chapel Rd) along the historic house parcel	30 ft Type B	50 ft Type E
Thoroughfare buffer (Olive Chapel Rd) adjacent to the play lawn area as shown on the PUD site plan	30 ft. Type B	30 ft. Type B
Major Collector Buffer	10 ft. Type A	10 ft. Type A

Architectural Standards

The proposed development offers 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 if the changes are substantially similar to the elevations provided with the PUD. Further details shall be provided at the time of development 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. Rear and side elevations of units that have right-of-way frontage shall have trim around the windows.
3. Eaves shall project at least 12 inches from the wall of the structure.
4. A minimum of three of the following features shall be used on each building:
 - a. decorative shake
 - b. board and batten
 - c. decorative porch railing/posts
 - d. shutters
 - e. decorative/functional air vents on roof or foundation
 - f. recessed windows
 - g. decorative windows
 - h. decorative brick/stone
 - i. gables
 - j. decorative cornices
 - k. tin/metal roof
5. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

<ul style="list-style-type: none">• Windows• Bay window• Recessed window• Decorative window	<ul style="list-style-type: none">• Decorative shake• Decorative air vents on gable• Decorative gable• Decorative cornice
--	--

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



- Trim around the windows
- Wrap around porch or side porch
- Two or more building materials
- Decorative brick/stone
- Decorative trim
- Column
- Portico
- Balcony
- Dormer
-

6. Garage doors shall include windows, decorative details, or carriage-style adornments on them.
7. Windows that are not recessed must be trimmed.
8. Street facing garages that protrude more than 1 foot out from the front façade and front porch will have a trellis above the garage door or doors.
9. Street facing garages shall not protrude more than 5 feet out from front façade or front porch. Living space above a garage shall not be considered part of the front façade.
10. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
11. House entrances shall have a covered porch area leading to the front door.
12. Front porches shall be a minimum of 5 feet deep.
13. Garage doors on the front façade of homes that face the street shall not exceed 50% of the total width of the house and garage together.
14. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.

Environmental Zoning Conditions

The proposed PUD includes the following environmental conditions:

1. The project shall install at least one (1) sign per SCM discouraging the use of fertilizer and to reduce pet waste near SCM drainage areas. The sign(s) shall be installed in locations that are publicly accessible, such as adjacent to, but outside of public property and/or public easement(s), amenity centers, sidewalks, greenways, or side paths.
2. The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type or 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
3. The project shall provide 40% of existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to locate 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
4. 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 for each large tree removed or 1 small tree for each small tree removed. 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 with the submittal of the Master Subdivision Plan.
5. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



6. To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.
7. In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves dormant plants be removed during winter on areas without turf grass, including individual homes and HOA owned common areas.
8. Preserve and protect existing species, existing ponds shall be preserved if structurally sound
9. No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site
10. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
11. 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.
12. The project shall be designed to meet the requirements for one of the green building certification, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or Green Guard. 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.
13. The project shall ensure that 60% 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 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.
14. 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 80% of the species selected shall be native or a native of North Carolina.
15. The project shall plant at least 1 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.
16. The project shall install at least one (1) pet waste station per 25 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.
17. The development shall increase perimeter and street front buffers as noted in the buffer table within the PUD.
18. All homes shall be pre-configured with conduit for a solar energy system.
19. No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required road and utility infrastructure and SCM outlets. The SCM water storage and treatment shall not be permitted within the riparian buffer. Sewer infrastructure shall be designed to minimize impacts to riparian buffers.

Natural Resource and Environmental Data

The property is located within the Cape Fear River Basin, Jordan Lake Watershed, and Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. This

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

The project is not located in a designated current or future 100-year floodplain as shown on the Town of Apex's Flood Risk Information System (FRIS) or FEMA FIRM Panel 3720071200L with an effective date of July 19, 2022.

Historic Structures

The Lawrence property farm includes a single-family house and several outbuilding structures that are on the Study List for the National Register of Historic Places. The Lawrence property is one parcel that is located north and south of Olive Chapel Road. The structures on the Study List are located north of Olive Chapel Road. Capital Area Preservation (CAP) conducted a site visit on July 29, 2024 and completed a Historic Resource Report. (See Attachment 1: Apex Historic Resource Report). CAP stated after examination of the property, that their opinion was that a majority of the H.T. Lawrence farm house original historic fabric remains intact. The house features a very unique floorplan and elaborate detailing not seen elsewhere in Apex or the surrounding area.

The North Carolina State Historic Preservation Office (SHPO) shows the property (H.T. Lawrence Farm) was placed on the State Inventory list in 1991 and was placed on a Wake County study list for National Register of Historic Places (H.T. Lawrence Farm – SHPO ID WA1047). The applicant, CAP, Town staff, and SHPO staff held a meeting on February 21, 2025 to discuss the historic H.T. Lawrence Farm. (See Attachment 2: SHPO Meeting regarding 3228 Olive Chapel Road Discussion).

The PUD plan proposes to move the existing historic home and some of the outbuilding structures to the area south of Olive Chapel Road designated as "Historic Property Relocation", as shown on the PUD Plan Map Site Plan.

In coordination with Capital Area Preservation (CAP) and SHPO, the PUD proposes to preserve, relocate, and donate the historic resources pending determination by SHPO and/or CAP and include a land donation agreement.

Public Facilities

The proposed PUD shall be designed to comply with the Town's Sewer and Water Master Plan and Standards and Specifications. The development will be served water and sewer by the Town of Apex.

Stormwater Management

The PUD development shall meet all stormwater requirements listed in the UDO, including limiting the post-development stormwater flows to not exceed the pre-development rates.

Acceptable stormwater structures shall include detention ponds, constructed wetlands, bio-retention areas, or other approved devices consistent with the NC DEQ Stormwater Design Manual and the Town of Apex UDO.

Apex Transportation Plan/Access and Circulation

The Lawrence Property PUD includes a rural 2-lane thoroughfare road, Olive Chapel Road, and a future major collector street as shown on the Town of Apex Thoroughfare and Collector Street Plan Map. The transportation improvements include the following:

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



1. The developer shall dedicate right-of-way and construct minimum improvements along the Olive Chapel Road property frontage based on a Rural 2-lane Thoroughfare with 6-foot paved shoulders planned for future bike lanes on 110-foot right-of-way according to the Apex Transportation Plan, with 10-foot side path along the north side and 5-foot sidewalk along the south side of Olive Chapel Road.
2. Developer shall provide an eastbound left turn lane on Olive Chapel Road at the Major Collector Street with a minimum storage length of 100 feet plus 50-foot deceleration length and 100-foot taper and required transitions subject to Apex and NCDOT review and approval.
3. Development shall propose an intersection within 100 to 150 feet of the existing terminus of Adirondack Way where drivers will be required to turn and/or stop, subject to review and approval by the Town of Apex.
4. Refer to PUD Plan site sheet C100 for proposed access points, stub street extensions, and planned vehicular connectivity. All access and circulation are conceptual and will be finalized at the time of Master Subdivision Plan review and approval.

The applicant provided a Trip Generation Letter (See Attachment 3: Lawrence Property Residential Development Trip Generation Letter). A traffic impact report (TIA) was not required because the Lawrence Property PUD plan includes a maximum of 57 single family units, which is below the TIA requirements.

Transportation Plan Amendment

The applicant has requested a Transportation Plan Amendment regarding the location of the major collector street shown on the Town of Apex Thoroughfare and Collector Street Plan Map. The request includes a shift of the major collector street to the west as some of the historic structures located on the property will be relocated to the area south of Olive Chapel Road.

The re-location of the major collector road will create a disconnect from the existing Lawson Lane. A condition has been included in the PUD text as follows:

The applicant shall work with the property owner of PIN 0712826330 to provide a minimum 20-foot wide gravel road connection from the Major Collector stub street to the existing Lawson Lane, prior to construction plan approval. This connection will be made once construction of the Major Collector is complete. At no time prior to reconnection will access to Lawson Lane be completely cut off to a public road.

Pedestrian and Bicycle Facilities

Per the Town of Apex Bicycle and Pedestrian System Plan Map and UDO requirements, the developer shall construct sidewalks, side paths, and bike lanes, as follows:

1. A 10-foot wide side path shall be constructed along Olive Chapel Road (north side). Sidewalks (5-foot wide) shall be provided along Olive Chapel Road (south side), both sides of the Major Collector street and along all residential streets.
2. Bike lanes are provided along Olive Chapel Road and the Major Collector street.
3. A future greenway is indicated on the site layout and shall be dedicated by plat as a 20-foot public greenway easement.

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



Parking

Parking for the development shall meet the requirements of UDO Section 8.3.

Affordable Housing

The PUD plan includes a minimum of three (3) residential restricted affordable housing detached single-family median-income ownership units. 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"). 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.

Housing staff supports the proposed affordability term and income targeting range. The percentage of affordable units based on the total unit count is consistent with the minimum recommendation of five percent (5%), based on the recently adopted affordable housing incentive zoning policy.

ENVIRONMENTAL ADVISORY BOARD:

The Apex Environmental Advisory Board (EAB) held a meeting for the Lawrence Property rezoning on October 17, 2024. The EAB's suggested zoning conditions are shown with the applicant's response to each in the table below:

EAB Suggested Zoning Condition	Applicant's Response
The project shall preserve a minimum of 70% 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.	Added with 40%
The project shall ensure that 80% 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.	Added with 60%
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 80% of the species selected shall be native or a native of North Carolina.	Added
The project shall plant at least 1 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.	Added
The development shall increase perimeter and streetfront buffers, where appropriate.	Added

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



EAB Suggested Zoning Condition	Applicant's Response
A solar PV system of at least 4kW shall be installed on at least 10 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 lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	Not Added
All homes shall be pre-configured with conduit for a solar energy system.	Added
Plant a minimum of five fruit trees in HOA common that are a minimum of 0.5-inch caliper and 2 feet in height at planting. Such trees shall be native or adaptive species to North Carolina. The HOA shall not prohibit clover or other mixed grasses.	Not Added
The HOA shall not prohibit clover or other mixed grasses.	Not Added

PARKS, RECREATION, AND CULTURAL RESOURCES ADVISORY COMMISSION:

The Parks, Recreation, and Cultural Resources Advisory Commission reviewed the Lawrence Property PUD project at their January 29, 2025 meeting. The Commission made a recommendation for a fee-in-lieu of dedication for a maximum of 57 single family units. The fee-in lieu rate will be set at the time of Town Council action on the rezoning.

PLANNING BOARD RECOMMENDATION:

The Planning Board held a public hearing on May 12, 2025 and voted 7 to 0 to recommend approval with staff's condition as presented.

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval of Rezoning #24CZ16 Lawrence Property PUD as proposed by the applicant.

ANALYSIS STATEMENT OF THE REASONABLENESS OF THE PROPOSED REZONING:

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

The 2045 Land Use Map designates the site as Rural Density Residential at 1 unit per 5 acres. The Rural Density Residential classification is primarily located adjacent to the Protected Open Space. The Lawrence Property PUD Plan proposes 1.6 units per acre (specifically 1.98 units per acre; north of Olive Chapel Road and 0.246 units per acre; south of Olive Chapel Road). If the properties are rezoned as proposed, the 2045 LUM will automatically be amended to Low Density Residential north of Olive Chapel Road and Rural Transition Residential south of Olive Chapel Road per NCGS 160D-605(a). The density and lot size minimums are consistent with that of nearby developments.

The proposed rezoning is reasonable and is in the public interest because it includes open space preservation with historic structures adjacent to protected open space (south of Olive Chapel Road), preserves 40% RCA, increases vehicle and pedestrian connectivity for the area, and includes three (3) affordable housing units.

**PLANNED UNIT DEVELOPMENT DISTRICT AND CONDITIONAL ZONING STANDARDS:*****Standards***

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1. *Planned Unit Development (PUD-CZ) District*

In approving a Planned Development (PD) Zoning District designation for a PUD-CZ, the Town Council shall find the PUD-CZ district designation and PD Plan for PUD-CZ demonstrates compliance with the following standards:

a) *Development parameters*

- (i) The uses proposed to be developed in the PD Plan for PUD-CZ are those uses permitted in Sec. 4.2.2 *Use Table*.
- (ii) The uses proposed in the PD Plan for PUD-CZ can be entirely residential, entirely non-residential, or a mix of residential and non-residential uses, provided a minimum percentage of non-residential land area is included in certain mixed use areas as specified on the 2045 Land Use Map. The location of uses proposed by the PUD-CZ must be shown in the PD Plan with a maximum density for each type of residential use and a maximum square footage for each type of non-residential use.
- (iii) The dimensional standards in Sec. 5.1.3 *Table of Intensity and Dimensional Standards, Planned Development Districts* may be varied in the PD Plan for PUD-CZ. The PUD-CZ shall demonstrate compliance with all other dimensional standards of the UDO, North Carolina Building Code, and North Carolina Fire Code.
- (iv) The development proposed in the PD Plan for PUD-CZ encourages cluster and compact development to the greatest extent possible that is interrelated and linked by pedestrian ways, bikeways and other transportation systems. At a minimum, the PD Plan must show sidewalk improvements as required by the Apex Transportation Plan and the *Town of Apex Standard Specifications and Standard Details*, and greenway improvements as required by the Town of Apex Parks, Recreation, Greenways, and Open Space Plan and the Apex Transportation Plan. In addition, sidewalks shall be provided on both sides of all streets for single-family detached homes.
- (v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.
- (vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
- (vii) The development proposed in the PD Plan for PUD-CZ has architectural and design standards that are exceptional and provide higher quality than routine developments. All residential uses proposed in a PD Plan for PUD-CZ shall provide architectural elevations



representative of the residential structures to be built to ensure the Standards of this Section are met.

- b) *Off-street parking and loading.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.3 *Off-Street Parking and Loading*, except that variations from these standards may be permitted if a comprehensive parking and loading plan for the PUD-CZ is submitted as part of the PD Plan that is determined to be suitable for the PUD-CZ, and generally consistent with the intent and purpose of the off-street parking and loading standards.
- c) *RCA.* The PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.1.2 Resource Conservation Area, except that the percentage of RCA required under Sec. 8.1.2 may be reduced by the Town Council by no more than 10% provided that the PD Plan for PUD-CZ includes one or more of the following:
 - (i) A non-residential component;
 - (ii) An overall density of 7 residential units per acre or more; or
 - (iii) Environmental measures including but not limited to the following:
 - a. The installation of a solar photovoltaic (PV) system on a certain number or percentage of single-family or townhouse lots or on a certain number or percentage of multifamily, mixed-use, or nonresidential buildings. All required solar installation shall be completed or under construction prior to 90% of the building permits being issued for the approved number of lots or buildings. For single-family or townhouse installations, the lots on which these homes are located shall be identified on the Master Subdivision Plat, which may be amended;
 - b. The installation of a geothermal system for a certain number or percentage of units within the development; or
 - c. Energy efficiency standards that exceed minimum Building Code requirements (i.e. SEER rating for HVAC).
- d) *Landscaping.* The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.
- e) *Signs.* Signage in the PD Plan for PUD-CZ shall demonstrate compliance with Sec. 8.7 *Signs*, except that the standards can be varied if a master signage plan is submitted for review and approval concurrent with the PD plan and is determined by the Town Council to be suitable for the PUD-CZ and generally consistent with the intent and purpose of the sign standards of the UDO. The master signage plan shall have design standards that are exceptional and provide for higher quality signs than those in routine developments and shall comply with Sec. 8.7.2 *Prohibited Signs*.
- f) *Public facilities.* The improvements standards and guarantees applicable to the public facilities that will serve the site shall comply with Article 7: *Subdivision* and Article 14: *Parks, Recreation, Greenways, and Open Space*.
 - (i) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site transportation circulation system. The on-site transportation circulation system shall be integrated with the off-site transportation circulation system of the Town. The PD Plan for PUD-CZ shall be consistent with the Apex Transportation Plan and the *Town of Apex Standard*



Specifications and Standard Details and show required right-of-way widths and road sections. A Traffic Impact Analysis (TIA) shall be required per Sec. 13.19.

- (ii) The PD Plan for PUD-CZ demonstrates a safe and adequate on-site system of potable water and wastewater lines that can accommodate the proposed development, and are efficiently integrated into off-site potable water and wastewater public improvement plans. The PD Plan shall include a proposed water and wastewater plan.
- (iii) Adequate off-site facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection and roads shall be planned and programmed for the development proposed in the PD Plan for PUD-CZ, and the development is conveniently located in relation to schools and police protection services.
- (iv) The PD Plan shall demonstrate compliance with the parks and recreation requirements of Sec. Article 14: *Parks, Recreation, Greenways, and Open Space* and Sec. 7.3.1 *Privately-owned Play Lawns* if there is a residential component in the PUD-CZ.
- g) *Natural resource and environmental protection.* The PD Plan for PUD-CZ demonstrates compliance with the current regulatory standards of this Ordinance related to natural resource and environmental protection in Sec. 6.1 *Watershed Protection Overlay District*, Sec. 6.2 *Flood Damage Prevention Overlay District*, and Sec. 8.1 *Resource Conservation*.
- h) *Storm water management.* The PD Plan shall demonstrate that the post-development rate of on-site storm water discharge from the entire site shall not exceed pre-development levels in accordance with Sec. 6.1.7 of the UDO.
- i) *Phasing.* The PD Plan for PUD-CZ shall include a phasing plan for the development. If development of the PUD-CZ is proposed to occur in more than one phase, then guarantees shall be provided that project improvements and amenities that are necessary and desirable for residents of the project, or that are of benefit to the Town, are constructed with the first phase of the project, or, if this is not possible, then as early in the project as is technically feasible.
- j) *Consistency with 2045 Land Use Map.* The PD Plan for PUD-CZ demonstrates consistency with the goals and policies established in the Town's 2045 Land Use.
- k) *Complies with the UDO.* The PD Plan for PUD-CZ demonstrates compliance with all other relevant portions of the UDO.

CONDITIONAL ZONING STANDARDS:

The Town Council shall find the PUD-CZ designation demonstrates compliance with the following standards. 2.3.3.F:

Legislative Considerations

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

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

STAFF REPORT

Rezoning #24CZ16 Lawrence Property PUD

June 24, 2025 Town Council Meeting



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.



Retreat at
Cedar Crossing

Rezoning #24CZ16

Weston

Whisper Willows Dr

Willow Hills

Sierra Glen Cir

Snowbed Ridge Dr

Olive Chapel Rd

Lawson Ln

Transit Trl

American Tobacco Trail



PD PLAN/PUD-CZ PETITION SUBMISSION:

Application and fee are due by 12:00 pm on the first business day of each month. See the [Planned Unit Development Schedule](#) on the website for more details.

PD PLAN/PUD-CZ PETITION FEES:

PUD-CZ Request: \$1,600.00 + \$10 an acre
PD Plan Amendment not requiring full TRC Review: \$600.00
Late Fee: \$300

PRE-APPLICATION MEETING: A pre-application meeting with the Technical Review Committee (TRC) is required to be scheduled prior to sending notices for the required pre-application Neighborhood Meeting and prior to submittal of a Planned Unit Development Application. Pre-application meetings with the TRC are typically scheduled during regular business hours on the 1st, 2nd, and 5th Thursdays of the month. To schedule an appointment for a meeting, the applicant must contact Planner Joshua Killian (joshua.killian@apexnc.org). To finalize the appointment time, the applicant must complete and upload the [Rezoning Pre-Application Meeting Request form](#) and required documents at least five (5) working days prior to the scheduled meeting. The invitation to the meeting will be sent to the applicant and staff once the required information is uploaded.

PURPOSE OF A PUD-CZ (UDO Sec. 3.3.3.C): The purpose of the PUD-CZ is to permit variations in order to allow flexibility for landowners to creatively plan for a site specific, higher quality overall development of their land in a way that is not possible through the strict application of the minimum standards of the Unified Development Ordinance (UDO). This is done through the application of performance standards that: integrate and mix uses where a mix of uses is proposed, possess interconnectivity, reflect the small-town character of Apex, expand opportunities for public transportation, preserve of natural features, integrate resource conservation area into plan for development, and that public facilities are available.

NEIGHBORHOOD MEETING: One (1) neighborhood meeting prior to application submittal and another meeting in the month prior to the anticipated public hearing date are required per UDO Sec. 2.2.7. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 300 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and 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 developer and the neighbors. In their initial submittal, the applicant shall submit the "Neighborhood Meeting Packet" forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

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

Electronic Submittal Requirements (submit in IDT): [Click here to access GeoCivix \(IDT Plans\) Website](#)

- One (1) complete PUD-CZ Application
- Written Metes and Bounds Legal Description
- Development Name Approval Application
- Town of Apex Utilities Offer & Agreement
- Agent Authorization Form & Affidavit of Ownership
- WCPSS Residential Development Notice Form
- Neighborhood Meeting Packet
- PD Plan Text (pdf & Word versions)
- Color Rendering of Building Elevations – 11"x17"
- Transportation Impact Analysis, if required
- PUD Plan Set
 - 24" x 36" size
 - Scale not less than: 1"= 50' horizontal, 1"= 5' vertical
 - Saved as pdf – no scanned plans
- Notification list including property owners of the land subject to the application, all property owners and tenants abutting and located within 300 feet of the land subject to the application, and any neighborhood association that represents citizens within the notification area. This list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request.

Hard Copy Submittal Requirements: Submit to Planning Department

- Two (2) sets of envelopes addressed to property owners subject to the application and to those on the notification list.
 - Addresses must be from the notification list obtained by emailing addressing.team@apexnc.org
 - Affixed with first class stamps and the following return address: Town of Apex Planning Department
P.O. Box 250
Apex, NC 27502
- One (1) bound copy of the Transportation Impact Analysis and one (1) copy of the TIA & traffic analysis files on disk or FTP site at first submittal (if required)
- Petition Fee by one of the following forms of payment:
 - Visa or Master Card;
 - Cash (exact amount only); or
 - Check payable to 'Town of Apex'
- If applicable: Annexation Petition, map, legal description and \$200.00 fee

PETITION PROCESS INFORMATION

NEIGHBORHOOD MEETING: One (1) neighborhood meeting prior to application submittal and another meeting in the month prior to the anticipated public hearing date are required per UDO Sec. 2.2.7. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 300 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and 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 developer and the neighbors. In their initial submittal, the applicant shall submit the "Neighborhood Meeting Packet" forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

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

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

REVIEW BY THE ENVIRONMENTAL ADVISORY BOARD (EAB): All applications for Rezoning must be reviewed by the EAB during the staff review portion of the process. The EAB will offer suggested zoning conditions to the applicant. To request to be on the EAB agenda, applicants must contact Senior Program Support Specialist Lindley Paynter (lindley.paynter@apexnc.org) at least five (5) working days prior to the desired EAB meeting. The EAB meets at 6:00 p.m. on the 3rd Thursday of the month. Review by the EAB must occur at least one (1) in advance of the public hearing notification in order to maintain the published schedule. This allows time for staff to review any additional zoning conditions proposed based on the EAB's recommendations.

PUBLIC HEARING NOTIFICATION: Notification of the public hearing will take place by three different methods.

1. A written notice will be prepared by Planning staff and sent to property owners, tenants, and neighborhood associations abutting and within 300 feet of the land subject to the application not more than 25 days nor less than 10 days prior to the public hearings, as required by the UDO.
2. A notice will be published on the Town of Apex website (www.apexnc.org) no less than 10 days, but not more than 25 days, prior to the public hearings.
3. A public hearing sign will be posted at the land subject to the application at least 10 days prior to the public hearings.

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

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

PLANNED UNIT DEVELOPMENT APPLICATION

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

Application #:	24CZ16	Submission Date:	9/3/24
Fee Paid	\$	Check #	

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Lawrence Property Rezoning
Address(es): 3228 Olive Chapel Rd.
PIN(s) 0712810293

Acreage: 41.02
Current Zoning: R-80W Proposed Zoning: Planned Unit Development (PUD)
Current 2045 LUM Designation: Rural Density Residential

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes ☒ No ☐

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

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

Applicant Information

Name: Mark Bowles c/o Baker Residential
Address: 7001 Weston Parkway, Suite 150
City: Cary State: NC Zip: 27513
Phone: (984) 275-2233 E-mail: mbowles@bakerresidential.com

Owner Information

Name: James L Lawrence and Katherine L. Chalk
Address: 1502 Chip Shot Dr
City: Morehead City State: NC Zip: 28557-4918
Phone: _____ E-mail: _____

Agent Information

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

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 24CZ16

Submittal Date: 9/3/24

PLANNED UNIT DEVELOPMENT DISTRICT STANDARDS:

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met by the proposed rezoning.

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 subject rezoning seeks to develop a Planned Unit Development (PUD-CZ) consisting of a maximum of 57 single family lots that includes two possible new lots on the south side of Olive Chapel Road to contain existing and/or relocated house(s). The PUD zoning district is consistent with the Rural Density Residential designation on the 2045 Land Use Map.

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

The site fronts Olive Chapel Road and is surrounded by Rural Density Residential LUM Designations and R-80W Wake County Zoning. In addition, the Deer Creek PUD-CZ is located to the northwest, the Willow Oak Hills PUD-CZ to the southwest. The proposed development is ideal for single family residential and is consistent with the character of the surrounding land and uses.

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

The proposed PUD-CZ will comply with any applicable standards in UDO Section 4.4.

PETITION PROCESS INFORMATION

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 57 single family lots. In addition, the applicant has provided buffers and open space, including a 450' open space/gameland buffer on the south side of Olive Chapel Road to minimize any adverse impact 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 the UDO required RCA for this area.

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 of the property consistent with the proposed rezoning.

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. The proposed single family detached homes will provide additional housing for the Town as well as streets and sidewalks that will improve vehicular and pedestrian connectivity in the area.

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

The proposed zoning district is consistent with the land use plan contemplated for the subject property along with others in close proximity. The development will meet or exceed the Apex UDO standards for buffers, access, stormwater, RCA, and others, such that there will be no detriment to adjacent properties.

PETITION PROCESS INFORMATION

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 project will not constitute a nuisance or hazard due to traffic or noise. Development of the property proposed will be similar in size, scale and quality to 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 the PUD Text which either meet or exceed the base requirements of the UDO.

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 24CZ16

Submittal Date: 9/3/24

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500*

Purpose

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex *Road Name Approval Application* and *Town of Apex Address Policy* guidelines.
- ✓ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A \$500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.*

*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

*excludes names with Green Level

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: 24CZ16

Submittal Date: _____

Proposed Subdivision/Development Information

Description of location: Olive Chapel Road

Nearest intersecting roads: Olive Chapel Road and New Hill Olive Chapel Road

Wake County PIN(s): 0712810293

Township: White Oak

Contact Information (as appropriate)

Contact person: Jason Barron, Morningstar Law Group

Phone number: 919-590-0731

Fax number: _____

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

E-mail address: jbarron@morningstarlawgroup.com

Owner: James L Lawrence and Katherine L. Chalk

Phone number: _____

Fax number: _____

Address: 1502 Chip Shot Drive, Morehead City NC 28557-4918

E-mail address: _____

2nd Choice (Optional): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

STREET NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

Wake County Approval Date: _____

Guidelines:

- No names duplicating or sounding similar to existing road names
- Avoid difficult to pronounce names
- No individuals' names
- Avoid proper names of a business, e.g. Hannaford Drive
- Limit names to 14 characters in length
- No directionals, e.g. North, South, East, West
- No punctuation marks, e.g. periods, hyphens, apostrophes, etc.
- Avoid using double suffixes, e.g. Deer Path Lane
- All names must have an acceptable suffix, e.g. Street, Court, Lane, Path, etc.
- Use only suffixes which are Town of Apex approved
- Town of Apex has the right to deny any street name that is determined to be inappropriate

Information:

Description of location: _____

Nearest intersecting roads: _____

Wake County PIN(s): _____

Township: _____

Contact information (as appropriate)

Contact person: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: 24CZ16

Submittal Date: _____

**Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

3228 Olive Chapel Road

0712810293

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Baker Residential of the Carolinas, LLC the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED: Baker Residential of the Carolinas, LLC, a Delaware limited liability company

By: Baker Residential Limited Partnership, its manager, By: Baker Realty Services, LLC, its general partner

CUSTOMER: [Signature]

TOWN OF APEX

BY: William J Gillilan, IV

Authorized Agent

BY: _____

Authorized Agent

DATE: 8/12/24

DATE: _____

STREET NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

of roads to be named: _____

Please submit twice as many road names as needed, with preferred names listed first. Proposed road names should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.

Example: Road Name Suffix

Hunter Street

1	_____	11	_____
2	_____	12	_____
3	_____	13	_____
4	_____	14	_____
5	_____	15	_____
6	_____	16	_____
7	_____	17	_____
8	_____	18	_____
9	_____	19	_____
10	_____	20	_____

TOWN OF APEX STAFF APPROVAL

Town of Apex Staff Approval

Date

WAKE COUNTY STAFF APPROVAL:

GIS certifies that _____ names indicated by checkmark ☒ are approved.
Please disregard all other names.

Comments:

Wake County GIS Staff Approval

Date

AGENT AUTHORIZATION FORM

Application #: 24CZ16

Submittal Date: _____

James L Lawrence and Katherine L. Chalk 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: Annexation Petition

The property address is: 3228 Olive Chapel Road; PIN: 0712810293

The agent for this project is: Jason Barron

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

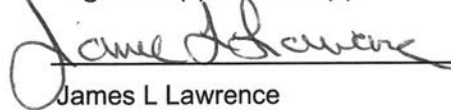
Agent Name: Jason Barron

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

Telephone Number: (919) 590-0371

E-Mail Address: jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)*



James L Lawrence

Type or print name

8-2-24

Date

Katherine L Chalk

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.

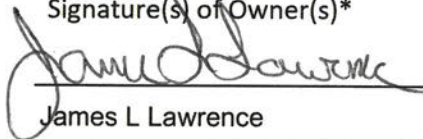
AGENT AUTHORIZATION FORMApplication #: 24CZ16 Submittal Date: _____

James L Lawrence and Katherine L. Chalk 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: Annexation Petition

The property address is: 3228 Olive Chapel Road; PIN: 0712810293The agent for this project is: Mark Bowles c/o Baker Residential of the Carolinas, LLC☐ I am the owner of the property and will be acting as my own agentAgent Name: Mark Bowles c/o Baker Residential of the Carolinas, LLCAddress: 7001 Weston Parkway, Suite 150, Cary NC 27513Telephone Number: (984) 275-2233E-Mail Address: mbowles@bakerresidential.com

Signature(s) of Owner(s)*

James L Lawrence

Type or print name

8-2-24
DateKatherine L Chalk

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 #: 24CZ16 Submittal Date: _____

James L Lawrence and Katherine L. Chalk 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: Annexation Petition

The property address is: 3228 Olive Chapel Road; PIN: 0712810293

The agent for this project is: Jason Barron

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

Agent Name: Jason Barron

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

Telephone Number: (919) 590-0371

E-Mail Address: jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)*

James L Lawrence

Type or print name

_____ Date

Katherine L Chalk

Type or print name

8-2-24 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 #: 24CZ16

Submittal Date: _____

James L Lawrence and Katherine L. Chalk 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: Annexation Petition

The property address is: 3228 Olive Chapel Road; PIN: 0712810293

The agent for this project is: Mark Bowles c/o Baker Residential of the Carolinas, LLC

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

Agent Name: Mark Bowles c/o Baker Residential of the Carolinas, LLC

Address: 7001 Weston Parkway, Suite 150, Cary NC 27513

Telephone Number: (984) 275-2233

E-Mail Address: mbowles@bakerresidential.com

Signature(s) of Owner(s)*

James L Lawrence

Type or print name

_____ Date

Katherine L Chalk

Type or print name

8-2-21 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 #: 24CZ16

Submittal Date: _____

The undersigned, James L Lawrence (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 3228 Olive Chapel Road, Apex, NC 27502 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated June 17, 2013, and recorded in the Wake County Register of Deeds Office on N/A, in Book 13-E Page 2219.
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 June 17, 2013, 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 June 17, 2013, 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 2 day of Aug, 2024
James L Lawrence (seal)
James L Lawrence
Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Carteret

I, the undersigned, a Notary Public in and for the County of Carteret, hereby certify that James L Lawrence, 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.



Laura Cook
Notary Public
State of North Carolina
My Commission Expires: 3-4-25

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: 24CZ16

Submittal Date:

Insert legal description below.

BEGINNING AT AN IRON PIPE IN THE NORTHEAST CORNER OF LOT "B" SHOWN ON BOOK OF MAPS 2013, PAGE 1123, AND RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS, SAID POINT ALSO HAVING NORTH CAROLINA GRID COORDINATES OF N: 721,945.14 & E: 2,017,525.69, THENCE FROM THE BEGINNING POINT SOUTH 87° 51' 10" EAST FOR A DISTANCE OF 1300.23 FEET TO AN IRON PIPE, THENCE SOUTH 03° 02' 55" WEST FOR A DISTANCE OF 690.74 FEET TO AN IRON PIPE, THENCE SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 366.82 FEET TO AN IRON PIPE, THENCE SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 139.33 FEET TO AN IRON PIPE SET ON THE NORTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE NORTHERN RIGHT OF WAY OF SAID ROAD SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 36.78 FEET TO A POINT IN THE CENTERLINE OF SAID ROAD, THENCE WITH THE CENTERLINE OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY) NORTH 79° 01' 05" WEST FOR A DISTANCE OF 78.30 FEET TO A POINT, THENCE LEAVING THE CENTERLINE OF SAID ROAD SOUTH 35° 14' 38" WEST FOR A DISTANCE OF 32.80 FEET TO AN EXISTING IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE SOUTHERN RIGHT OF WAY OF SAID ROAD SOUTH 35° 14' 38" WEST FOR A DISTANCE OF 296.54 FEET TO AN IRON PIPE FOUND, THENCE SOUTH 02° 49' 46" WEST FOR A DISTANCE OF 292.23 FEET TO AN IRON PIPE, THENCE SOUTH 02° 54' 59" WEST FOR A DISTANCE OF 89.79 FEET TO A IRON PIPE SET, THENCE SOUTH 02° 52' 44" WEST FOR A DISTANCE OF 290.45 FEET TO AN IRON PIPE AT THE COMMON CORNER WITH THE UNITED STATES OF AMERICA, THENCE WITH THE COMMON LINE NORTH 40° 08' 17" WEST FOR A DISTANCE OF 701.78 FEET TO A POINT IN THE CENTERLINE OF CREEK AS SHOWN IN BOOK OF MAPS 1992, PAGE 437, AND RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS, THENCE WITH THE CENTERLINE OF THE CREEK NORTH 31° 34' 41" EAST FOR A DISTANCE OF 4.04 FEET TO A POINT, THENCE NORTH 24° 03' 21" EAST FOR A DISTANCE OF 38.27 FEET TO A POINT, THENCE NORTH 33° 37' 56" EAST FOR A DISTANCE OF 41.18 FEET TO A POINT, THENCE NORTH 02° 15' 58" EAST FOR A DISTANCE OF 25.97 FEET TO A POINT, THENCE NORTH 00° 47' 47" WEST FOR A DISTANCE OF 36.57 FEET TO A POINT, THENCE NORTH 43° 48' 08" EAST FOR A DISTANCE OF 28.47 FEET TO A POINT, THENCE NORTH 05° 27' 31" EAST FOR A DISTANCE OF 34.90 FEET TO A POINT, THENCE NORTH 16° 40' 17" WEST FOR A DISTANCE OF 53.91 FEET TO A POINT, THENCE NORTH 00° 00' 00" EAST FOR A DISTANCE OF 22.60 FEET TO A POINT, THENCE NORTH 29° 35' 38" WEST FOR A DISTANCE OF 21.01 FEET TO A POINT, THENCE NORTH 18° 22' 24" WEST FOR A DISTANCE OF 44.41 FEET TO A POINT, THENCE NORTH 14° 46' 33" WEST FOR A DISTANCE OF 48.27 FEET TO A POINT, THENCE NORTH 27° 08' 29" WEST A DISTANCE OF 49.95 FEET TO A POINT, THENCE NORTH 22° 47' 18" WEST FOR A DISTANCE OF 38.50 FEET TO A POINT, THENCE NORTH 03° 11' 04" WEST FOR A DISTANCE OF 40.72 FEET TO POINT ON THE SOUTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE SOUTHERN RIGHT OF WAY OF SAID ROAD NORTH 03° 11' 04" WEST FOR A DISTANCE OF 30.37 FEET TO POINT IN THE CENTERLINE OF SAID ROAD, THENCE WITH THE CENTERLINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4306.82 FEET, AN ARC LENGTH OF 144.63 FEET, AND A CHORD BEARING OF NORTH 85° 13' 58" WEST A DISTANCE OF 144.63 FEET TO A POINT, THENCE LEAVING THE CENTERLINE OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY) NORTH 03° 21' 59" EAST FOR A DISTANCE OF 440.90 FEET TO AN IRON PIPE, THENCE NORTH 03° 21' 59" EAST FOR A DISTANCE OF 498.65 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 37.98 ACRES, MORE OR LESS.

AFFIDAVIT OF OWNERSHIP

Application #: 24CZ16

Submittal Date: _____

The undersigned, Katherine L. Chalk (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 3228 Olive Chapel Road, Apex, NC 27502 and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated June 17, 2013, and recorded in the Wake County Register of Deeds Office on N/A, in Book 13-E Page 2219.
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 June 17, 2013, 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 June 17, 2013, 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 2nd day of August, 2024.

Katherine Chalk
Katherine Chalk
Notary Public
TRACIE BUNN
NOTARY PUBLIC
CARTERET COUNTY, NC

STATE OF NORTH CAROLINA
COUNTY OF Carteret

I, the undersigned, a Notary Public in and for the County of Carteret, hereby certify that Katherine Chalk, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Katherine Chalk, 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 Sept. 18, 2027

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #:

24CZ16

Submittal Date:

Insert legal description below.

BEGINNING AT AN IRON PIPE IN THE NORTHEAST CORNER OF LOT "B" SHOWN ON BOOK OF MAPS 2013, PAGE 1123, AND RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS, SAID POINT ALSO HAVING NORTH CAROLINA GRID COORDINATES OF N: 721,945.14 & E: 2,017,525.69, THENCE FROM THE BEGINNING POINT SOUTH 87° 51' 10" EAST FOR A DISTANCE OF 1300.23 FEET TO AN IRON PIPE, THENCE SOUTH 03° 02' 55" WEST FOR A DISTANCE OF 690.74 FEET TO AN IRON PIPE, THENCE SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 366.82 FEET TO AN IRON PIPE, THENCE SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 139.33 FEET TO AN IRON PIPE SET ON THE NORTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE NORTHERN RIGHT OF WAY OF SAID ROAD SOUTH 46° 19' 48" WEST FOR A DISTANCE OF 36.78 FEET TO A POINT IN THE CENTERLINE OF SAID ROAD, THENCE WITH THE CENTERLINE OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY) NORTH 79° 01' 05" WEST FOR A DISTANCE OF 78.30 FEET TO A POINT, THENCE LEAVING THE CENTERLINE OF SAID ROAD SOUTH 35° 14' 38" WEST FOR A DISTANCE OF 32.80 FEET TO AN EXISTING IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE SOUTHERN RIGHT OF WAY OF SAID ROAD SOUTH 35° 14' 38" WEST FOR A DISTANCE OF 296.54 FEET TO AN IRON PIPE FOUND, THENCE SOUTH 02° 49' 46" WEST FOR A DISTANCE OF 292.23 FEET TO AN IRON PIPE, THENCE SOUTH 02° 54' 59" WEST FOR A DISTANCE OF 89.79 FEET TO A IRON PIPE SET, THENCE SOUTH 02° 52' 44" WEST FOR A DISTANCE OF 290.45 FEET TO AN IRON PIPE AT THE COMMON CORNER WITH THE UNITED STATES OF AMERICA, THENCE WITH THE COMMON LINE NORTH 40° 08' 17" WEST FOR A DISTANCE OF 701.78 FEET TO A POINT IN THE CENTERLINE OF CREEK AS SHOWN IN BOOK OF MAPS 1992, PAGE 437, AND RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS, THENCE WITH THE CENTERLINE OF THE CREEK NORTH 31° 34' 41" EAST FOR A DISTANCE OF 4.04 FEET TO A POINT, THENCE NORTH 24° 03' 21" EAST FOR A DISTANCE OF 38.27 FEET TO A POINT, THENCE NORTH 33° 37' 56" EAST FOR A DISTANCE OF 41.18 FEET TO A POINT, THENCE NORTH 02° 15' 58" EAST FOR A DISTANCE OF 25.97 FEET TO A POINT, THENCE NORTH 00° 47' 47" WEST FOR A DISTANCE OF 36.57 FEET TO A POINT, THENCE NORTH 43° 48' 08" EAST FOR A DISTANCE OF 28.47 FEET TO A POINT, THENCE NORTH 05° 27' 31" EAST FOR A DISTANCE OF 34.90 FEET TO A POINT, THENCE NORTH 16° 40' 17" WEST FOR A DISTANCE OF 53.91 FEET TO A POINT, THENCE NORTH 00° 00' 00" EAST FOR A DISTANCE OF 22.60 FEET TO A POINT, THENCE NORTH 29° 35' 38" WEST FOR A DISTANCE OF 21.01 FEET TO A POINT, THENCE NORTH 18° 22' 24" WEST FOR A DISTANCE OF 44.41 FEET TO A POINT, THENCE NORTH 14° 46' 33" WEST FOR A DISTANCE OF 48.27 FEET TO A POINT, THENCE NORTH 27° 08' 29" WEST A DISTANCE OF 49.95 FEET TO A POINT, THENCE NORTH 22° 47' 18" WEST FOR A DISTANCE OF 38.50 FEET TO A POINT, THENCE NORTH 03° 11' 04" WEST FOR A DISTANCE OF 40.72 FEET TO POINT ON THE SOUTHERN RIGHT OF WAY OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY), THENCE LEAVING THE SOUTHERN RIGHT OF WAY OF SAID ROAD NORTH 03° 11' 04" WEST FOR A DISTANCE OF 30.37 FEET TO POINT IN THE CENTERLINE OF SAID ROAD, THENCE WITH THE CENTERLINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4306.82 FEET, AN ARC LENGTH OF 144.63 FEET, AND A CHORD BEARING OF NORTH 85° 13' 58" WEST A DISTANCE OF 144.63 FEET TO A POINT, THENCE LEAVING THE CENTERLINE OF OLIVE CHAPEL ROAD (60' PUBLIC RIGHT OF WAY) NORTH 03° 21' 59" EAST FOR A DISTANCE OF 440.90 FEET TO AN IRON PIPE, THENCE NORTH 03° 21' 59" EAST FOR A DISTANCE OF 498.65 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 37.98 ACRES, MORE OR LESS.

Wake County Residential Development Notification

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

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

Please send any questions about this form to:

studentassignment-gis-group@wcpss.net

Developer Company Information	
Company Name	Mark Bowles c/o Baker Residential
Company Phone Number	(984) 275-2233
Developer Representative Name	Jason Barron and Leticia Shapiro - Morningstar Law Group
Developer Representative Phone Number	(919) 590-0371 and (919) 590-0366
Developer Representative Email	jbarron@morningstarlawgroup.com and tshapiro@morningstarlawgroup

New Residential Subdivision Information	
Date of Application for Subdivision	
City, Town or Wake County Jurisdiction	Town of Apex
Name of Subdivision	Lawrence PUD
Address of Subdivision (if unknown enter nearest cross streets)	3228 Olive Chapel Road
REID(s)	0040866
PIN(s)	0712810293

Projected Dates Information	
Subdivision Completion Date	TBD
Subdivision Projected First Occupancy Date	TBD

Lot by Lot Development Information																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family	57																
Townhomes																	
Condos																	
Apartments																	
Other																	



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

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

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 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 2nd 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.

Link comment sheets or notecards for neighbors to submit comments during the meeting, copy all questions and answers entered into the meeting summary template during the meeting and save them into a document. The applicant must also provide a list of questions and concerns received via written correspondence and responses provided by the applicant.

For notifying any neighbors who check the “Send Plans & Maps” box on the invitation, or who otherwise request to be updated of any additional information, the applicant must provide a written notification of the final submittal date to the Town with a link to the Town of [redacted] 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.

June 27, 2024

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3228 Olive Chapel Rd 0712810293

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 checked="" 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 Planned Unit Development - Conditional Use (PUD-CZ) to facilitate the development of a single-family dwelling community.

Estimated submittal date: August 1, 2024

MEETING INFORMATION:

Property Owner(s) name(s): James L. Lawrence; Katherine L. Chalk

Applicant(s): Baker Residential

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

Meeting Address: <https://morningstarlaw.group/07112024.mtg>

Date/Time of meeting**: July 11, 2024/5:30pm-6:30pm

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45pm 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: Lawrence Farm Rezoning Zoning: R-80W

Location: 3228 Olive Chapel Rd

Property PIN(s): 0712810293 Acreage/Square Feet: 41.02

Property Owner: James L. Lawrence; Katherine L. Chalk

Address: 1502 Chip Shot Dr.

City: Morehead City State: NC Zip: 28557-4918

Phone: _____ Email: _____

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: Bob Zumwalt BGE, Inc.

Address: 5438 Wake Park Boulevard, Suite 420

City: Raleigh State: NC Zip: 27607

Phone: 919-475-7314 Fax: _____ Email: bzumwalt@bgeinc.com

Builder (if known): Mark Bowles c/o Baker Residential

Address: 7001 Weston Parkway, Suite 150

City: Cary State: NC Zip: 27513

Phone: (984) 275-2233 Fax: _____ Email: mbowles@bakerresidential.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
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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

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

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

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

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

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

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

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

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

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

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

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

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

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

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

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

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

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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

How to Participate in the July 11, 2024 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/07112024.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: 885 6342 0176
- Passcode: 508885
- 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



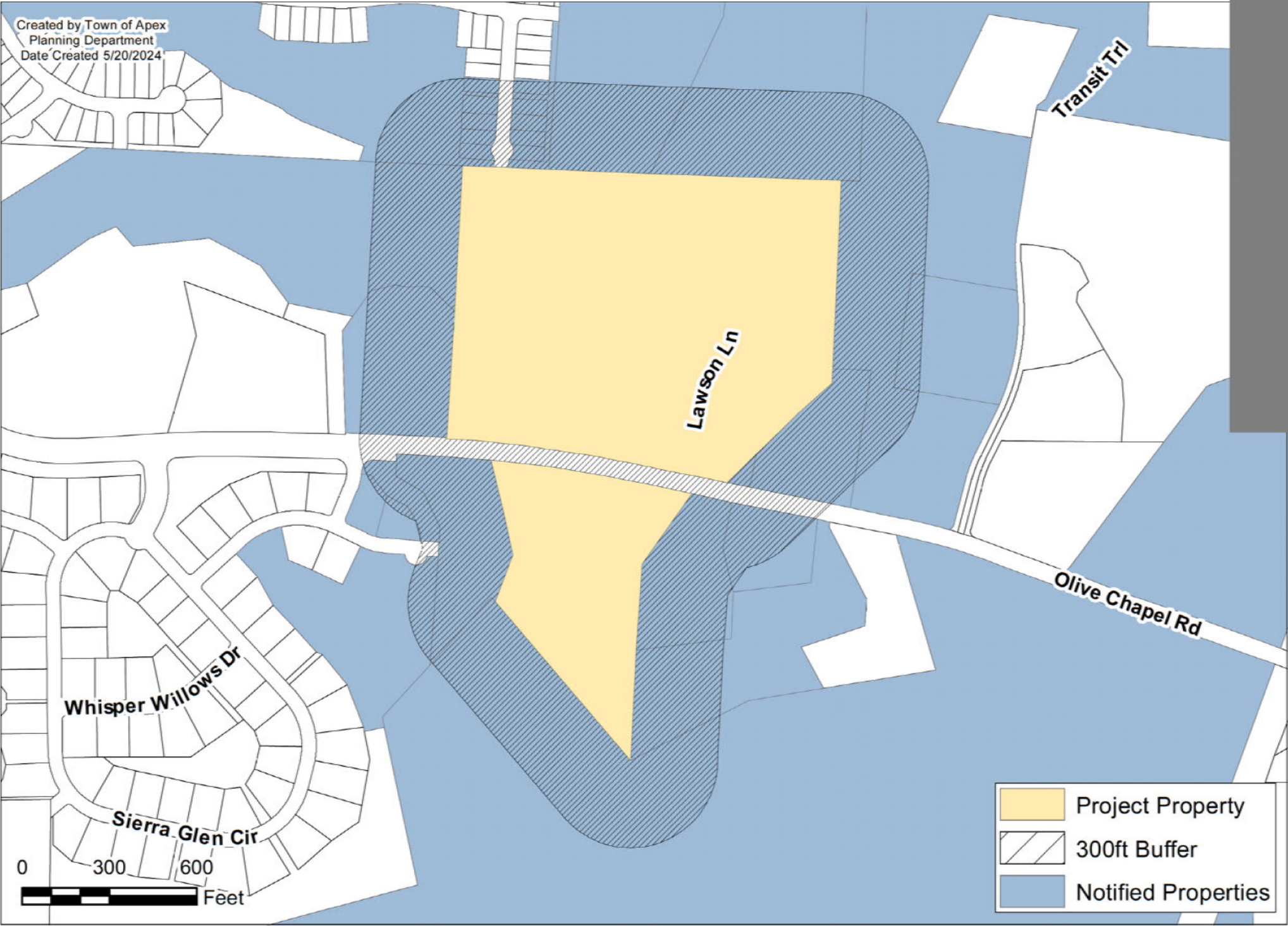
If you have difficulty registering, you may call Leticia Shapiro at **(919) 590-0366** or email **tshapiro@morningstarlawgroup.com** prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email **tshapiro@morningstarlawgroup.com** and the meeting link will be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

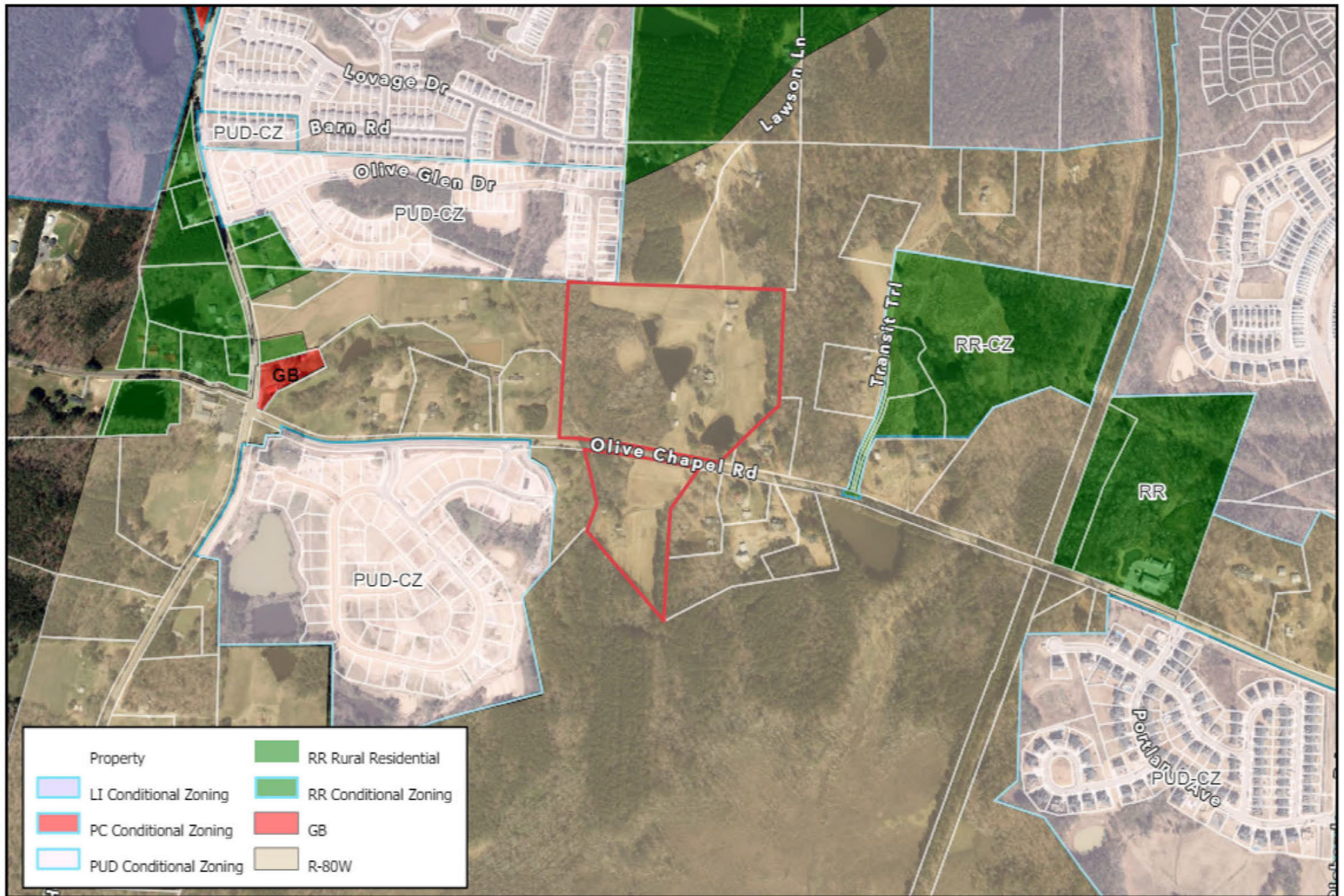
If you are participating via your computer, iPhone or Android device, you can submit questions/comments by using the Raise Hand and/or the Q&A features. We will not use the Chat feature. If you use Raise Hand, a panelist will either unmute you to allow you to speak to solicit your questions/comments.

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

Notified Properties within 300ft of the Project Property







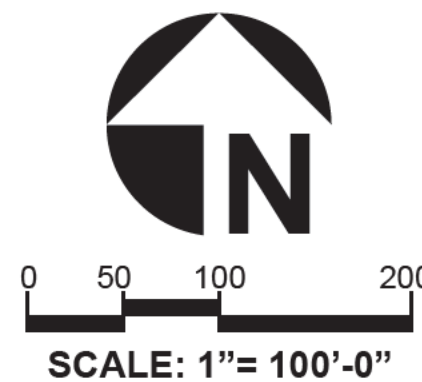


SUMMARY	
SITE AREA	35.8 ACRES
PROPOSED ZONING	PUD-CZ
TOTAL LOTS	+/- 53
MAXIMUM DENSITY	1.5 UNIT/AC
RCA REQUIRED	NONE
RCA PROVIDED	8.9 ACRES
MINIMUM LOT SIZE	7,500 SF



LAWRENCE PROPERTY
APEX, NORTH CAROLINA

CONCEPT
JUNE 27, 2024



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: Lawrence Property Rezoning Zoning: _____

Location: _____

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

Property Owner: _____

Address: 7001 Weston Parkway, Suite 150

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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

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

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

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

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

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

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

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

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

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

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

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

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

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

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

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

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

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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

Attendee Report

Report Generated:

7/30/2024 22:13

Topic	Webinar ID	Actual Start Time		Actual Duration (minutes)	# Registered
3228 Olive Chapel Rd Rezoning Neighborhood Meeting	885 6342 0176	7/11/2024 17:20		75	35
Host Details					
Attended	User Name (Original Name)	Email	Join Time	Leave Time	
Yes	Leticia Shapiro	tshapiro@morningstarlawgroup.com	7/11/2024 17:20	7/11/2024 18:35	
Panelist Details					
Attended	User Name (Original Name)	Email	Join Time	Leave Time	
Yes	Bob Zumwalt	bzumwalt@bgeinc.com	7/11/2024 17:22	7/11/2024 18:32	
Yes	Jason Barron	jbarron@morningstarlawgroup.com	7/11/2024 17:23	7/11/2024 18:35	
Yes	Mark Bowles	mbowles@bakerresidential.com	7/11/2024 17:25	7/11/2024 18:35	
Attendee Details					
Attended	User Name (Original Name)	First Name	Last Name	Email	
Yes	Audrey Curlee	Audrey	Curlee		
Yes	Aleksandr Dreytser	Aleksandr	Dreytser		
No	Kathy	Kathy	Overman		
Yes	Karen Foust	Karen	Foust		
Yes	Joyce Antal	Joyce	Antal		
No	Lea	Lea	Burnett		
Yes	John Vlajkovic	John	Vlajkovic		
Yes	Vincent Schultz	Vincent	Schultz		
No	Frank	Frank	Schachtele		
Yes	Michael Poulin	Michael	Poulin		
Yes	Anne Babb	Anne	Babb		
Yes	Frank Agius	Frank	Agius		
Yes	Sandra Willetts	Sandra	Willetts		
Yes	Karen Welsh	Karen	Welsh		
Yes	Steve Weissman	Steve	Weissman		
Yes	Michael Kerch	Michael	Kerch		
Yes	Marcel Baruth	Marcel	Baruth		
Yes	Donna Giuliano	Donna	Giuliano		
Yes	Jim Roberts	Jim	Roberts		
Yes	Gary Eccles	Gary	Eccles		
Yes	Scott and Sharon Bylund	Scott and Sharon	Bylund		
Yes	Don Williams	Don	Williams		
Yes	Vicki Williams	Vicki	Williams		
Yes	Mary Roberts	Mary	Roberts		
Yes	Dilshad Bade	Dilshad	Bade		
Yes	Chris Cowan	Chris	Cowan		
Yes	Ryan Smith	Ryan	Smith		
Yes	Pat Jones	Pat	Jones		
Yes	Baha Bade	Baha	Bade		
Yes	Elizabeth DiRaimondo	Elizabeth	DiRaimondo		
Yes	Jackie Weissman	Jackie	Weissman		

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS
3204 OLIVE CHAPEL RD	0712804898	CLEMENT, MARTHA S	3200 OLIVE CHAPEL RD APEX NC 27502-6785
1317 ADIRONDACK WAY	0712727261	WELSH, KAREN A TRUSTEE THE KAREN A WELSH LIVING TRUST	1317 ADIRONDACK WAY APEX NC 27502-7413
3133 OLIVE CHAPEL RD	0712805207	HOLLAND, BRIAN D HOLLAND, ROBIN T	3133 OLIVE CHAPEL RD APEX NC 27502-5710
3312 OLIVE CHAPEL RD	0712713207	HARDY, JAMES WARREN TRUSTEE HARDY, TERESA GOODWIN TRUSTEE	3312 OLIVE CHAPEL RD APEX NC 27502-8517
3400 SNOWBED RIDGE DR	0712703702	RAMAN, KANNAN ILANCHEZHIAN, AISHWARYA	3400 SNOWBED RIDGE DR APEX NC 27502-7423
1324 ADIRONDACK WAY	0712725185	LEE, JOANNE SOYOUNG LEE, JUNG WON	1324 ADIRONDACK WAY APEX NC 27502-7413
1336 ADIRONDACK WAY	0712715979	GABRIEL, STEPHANIE BLURR GABRIEL, SHERIF EDWARD	1336 ADIRONDACK WAY APEX NC 27502-7413
533 NEW HILL OLIVE CHAPEL RD	0712616775	GOODWIN, SANDRA GAIL TRUSTEE GOODWIN, ALFRED KENT TRUSTEE	274 MAY FARM RD PITTSBORO NC 27312-5738
1101 NEW HILL OLIVE CHAPEL RD	0711668680	UNITED STATES OF AMERICA	310 NEW BERN AVE RALEIGH NC 27601-1441
1318 ADIRONDACK WAY	0712725292	FOUST, BARRY WILLIAM FOUST, KAREN ELIZABETH	1318 ADIRONDACK WAY APEX NC 27502-7413
0 SNOWBED RIDGE DR	0712703820	WILLOW HILLS COMMUNITY ASSOCIATION INC	HRW 4700 HOMEWOOD CT STE 380 RALEIGH NC 27609-5732
1331 ADIRONDACK WAY	0712727044	VLAJKOVIC, PATRICIA A VLAJKOVIC, JOHN	1331 ADIRONDACK WAY APEX NC 27502-7413
1904 TRANSIT TRL	0712912324	WINGLER, REBECCA C WINGLER, BRIAN C	1904 TRANSIT TRL APEX NC 27502-8505
1332 ADIRONDACK WAY	0712725074	POULIN, MICHAEL R POULIN, JOLINE M	1332 ADIRONDACK WAY APEX NC 27502-7413
0 ADIRONDACK WAY	0712717964	RETREAT AT CEDAR CROSSING COMMUNITY ASSOCIATION IN	ASSOCIA HRW 4700 HOMEWOOD CT STE 380 RALEIGH NC 27609-5732
1323 ADIRONDACK WAY	0712727154	ROBERTS, MARY C ROBERTS, JAMES C	1323 ADIRONDACK WAY APEX NC 27502-7413
3305 OLIVE CHAPEL RD	0712705757	RICH, LYNDIA H LEE, ANTHONY	3305 OLIVE CHAPEL RD APEX NC 27502-8517
1327 ADIRONDACK WAY	0712727059	MANCINI, JOHN FRANCIS MANCINI, MARY GLENN	1327 ADIRONDACK WAY APEX NC 27502-7413
1805 LAWSON LN	0712826330	CLARA'S LEGACY LLC	1805 LAWSON LN APEX NC 27502-9325
3406 SNOWBED RIDGE DR	0712701797	VANAMALA, DURGA PRASAD VANAMALA, SAMATHA	3406 SNOWBED RIDGE DR APEX NC 27502-7423
1335 ADIRONDACK WAY	0712717948	BURNETT, LEA	1335 ADIRONDACK WAY APEX NC 27502-7413
3201 OLIVE CHAPEL RD	0712805684	COWAN, CHRISTOPHER DIRAIMONDO, ELIZABETH	3201 OLIVE CHAPEL RD APEX NC 27502-6785
0 SNOWBED RIDGE DR	0712701369	WILLOW HILLS COMMUNITY ASSOCIATION INC	PPM INC 11010 RAVEN RIDGE RD RALEIGH NC 27614-8837
3228 OLIVE CHAPEL RD	0712810293	LAWRENCE, JAMES L CHALK, KATHERINE L	KATHERINE L. CHALK 1502 CHIP SHOT DR MOREHEAD CITY NC 28557-4918
3205 OLIVE CHAPEL RD	0712802593	FOWLER, BENNETT C	3205 OLIVE CHAPEL RD APEX NC 27502-6785
1328 ADIRONDACK WAY	0712725089	DREYTSE, ALEKSANDR	1328 ADIRONDACK WAY APEX NC 27502-7413
		APEX TOWN OF	PO BOX 250 APEX NC 27502
		Current Tenant	1327 Adirondack WAY APEX NC 27502
		Current Tenant	1812 Lawson LN APEX NC 27502
		Current Tenant	433 New Hill Olive Chapel RD APEX NC 27502
		Current Tenant	533 New Hill Olive Chapel RD APEX NC 27502
		Current Tenant	3228 Olive Chapel RD APEX NC 27502
		Current Tenant	3406 Snowbed Ridge APEX NC 27502

Created by Town of Apex Planning Department
Date Created: 5/20/2024

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): James L Lawrence and Katherine L Lawrence

Applicant(s): Baker Residential c/o Jason Barron and Leticia Shapiro Morningstar Law Group

Contact information (email/phone): jbarron@morningstarlawgroup.com and tshapiro@morningstarlawgroup (919) 590-0371 and (919) 590-0366

Meeting Address: Virtual - Zoom Platform

Date of meeting: July 11, 2024 Time of meeting: 5:30pm to 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.

Question/Concern #1: See Attached

Applicant’s Response:

Question/Concern #2:

Applicant’s Response:

Question/Concern #3:

Applicant’s Response:

Question/Concern #4:

Applicant’s Response:

Lawrence Property Rezoning
Neighborhood Meeting July 11, 2024

The applicant provided a summary of the Town of Apex rezoning process and introduced the planning team. The applicant presented the overall plan for development including a concept plan to provide a visual of how the applicant sees the site layout. Additionally, after the applicant's presentation:

A participant asked about a traffic study.

Response: There has not been a traffic study.

A participant asked if there will be a greenway connecting to the American Tobacco Trail.

Response: A greenway is not proposed with this development.

A participant asked about the vehicular connectivity to the preexisting Lawson Ln and the residents properties?

Response: We will construct a collector street and tie Lawson Ln. into our public street. We will double check.

A participant asked where construction entrance will be.

Response: We anticipate it will be Olive Chapel Road.

A participant asked where the location of mailboxes will be.

Response: We do not have locations at this time. We will need to work with USPS.

A participant asked if the houses will be ranches or multistory.

Response: There will be a mixture of each but two-story than ranch.

A participant asked about the price point of the homes.

Response: It is too early to determine price point at this time.

A participant asked if there is anticipated widening of Olive Chapel Road and if it would cause his property to be annexed.

Response: Nothing in this project will compel annexation. Olive Chapel Road will be widened.

A participant asked if construction traffic will go through existing neighborhoods.

Response: We can work to add a condition that reduces construction traffic.

A participant asked if there will be access from both directions into the new development from Olive Chapel Road.

Response: Yes, there will be full movement from Olive Chapel Road.

A participant asked about the square footage of houses.

Response: It is too early to determine square footage at this time.

A participant asked if construction will begin at Olive Chapel Road or Adirondack Way.

Response: Olive Chapel Road.

A participant expressed concern about increased traffic and asked about traffic calming measures.

Response: There will be increased traffic. We can discuss traffic calming with the town.

A participant asked if there will be trees planted in buffers.

Response: The perimeter buffer has a planting requirement that includes understory and upperstory trees. Healthy trees will be preserved.

A participant asked if both sides of Olive Chapel Road will be widened.

Response: We will most likely have to widen both sides of Olive Chapel Road consistent with town and NCDOT standards. It will be curb and gutter and sidewalk.

A participant asked what the buffers between neighborhoods would look like.

Response: There will be trees and plantings according to town standards.

A participant asked if the only two houses that impact their neighborhood be moved.

Response: We can review to see if a potential green space can occur in this area or an opportunity to increase screening.

A participant asked if this new neighborhood will have an HOA.

Response: Yes.

A participant asked if there will be townhomes.

Response: No.

A participant asked if the new neighborhood will be 55+.

Response: No.

A participant asked if the notice list can be extended.

Response: The notice list is provided by the town and we cannot revise it.

A participant asked what is the main concern.

Response: The only concern is there will be increased traffic. Not a great increase, but it will increase.

A participant asked when construction would begin.

Response: Zoning will take about 6 months. The preliminary subdivision process will take about 6 months, and construction drawing another 6 months. We are looking at 18 months so maybe the first quarter of 2027.

A participant expressed concern about the rural residential properties and required buffers because these properties are in the Wake County Voluntary Agricultural District and certified tree farms with active Forest Stewardship management plans..

Response: We will need to double check this.

A participant asked if there could be a roundabout between the two communities.

Response: We can look into traffic calming measures. We would need to make sure there is enough room for a residential roundabout.

A participant asked how residents of Lawson Ln will be able to access Lawson Ln during the construction process via Olive Chapel Rd.

Response: We will follow up. We can work out an access to ensure there is continued access to Olive Chapel Rd..

A participant asked what will happen to the overhead power lines that run through the proposed development and feed the residents on Lawson Ln.

Response: We will be required to relocate these lines. There will be continued service.

A participant asked if there will be better cell service.

Response: We do not have any impact on that.

A participant asked how will this cut through to 64 if Lawson lane remains private.

Response: It will not.

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 via Zoom Webinar (location/address) on July 11, 2024 (date) from 5:30pm (start time) to 6:35pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

8/1/2024

Date

By: [Signature]

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 15th day of August, 2024.

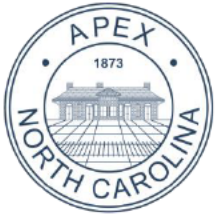
SEAL

JULIA OGDEN
NOTARY PUBLIC
WAKE COUNTY, N.C.

[Signature]
Notary Public

Julia Ogden
Print Name

My Commission Expires: June 23, 2029



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

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

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 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 2nd 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.

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

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 5, 2025

ADDENDUM TO NEIGHBORHOOD MEETING NOTICE

The neighborhood meeting notice mailed on February 5, 2025, includes the attached addendum: Land Use Amendment exhibit. (See Page 9)

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3228 Olive Chapel Rd 0712810293

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 checked="" 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 Planned Unit Development - Conditional Use (PUD-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: This is a Second Neighborhood Meeting

MEETING INFORMATION:

Property Owner(s) name(s): James L. Lawrence; Katherine L. Chalk

Applicant(s): Baker Residential

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

Meeting Address: <https://morningstarlaw.group/20250219.mtg>

Date/Time of meeting**: February 19, 2025/5:30pm-6:30pm

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45pm 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: Lawrence Farm Rezoning Zoning: R-80W

Location: 3228 Olive Chapel Rd

Property PIN(s): 0712810293 Acreage/Square Feet: 41.02

Property Owner: James L. Lawrence; Katherine L. Chalk

Address: 1502 Chip Shot Dr.

City: Morehead City State: NC Zip: 28557-4918

Phone: _____ Email: _____

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: Clint McClellen, PLA - BGE, Inc.

Address: 5438 Wake Park Boulevard, Suite 420

City: Raleigh State: NC Zip: 27607

Phone: 817-887-6130 Fax: _____ Email: cmcclellen@bgeinc.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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

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

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

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

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

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

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

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

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

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

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

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

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

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

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

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

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

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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

How to Participate in the February 19, 2025 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/20250219.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: 845 1302 1751
- Passcode: 056123
- 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 prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email tshapiro@morningstarlawgroup.com and the meeting link will be sent to help assist.

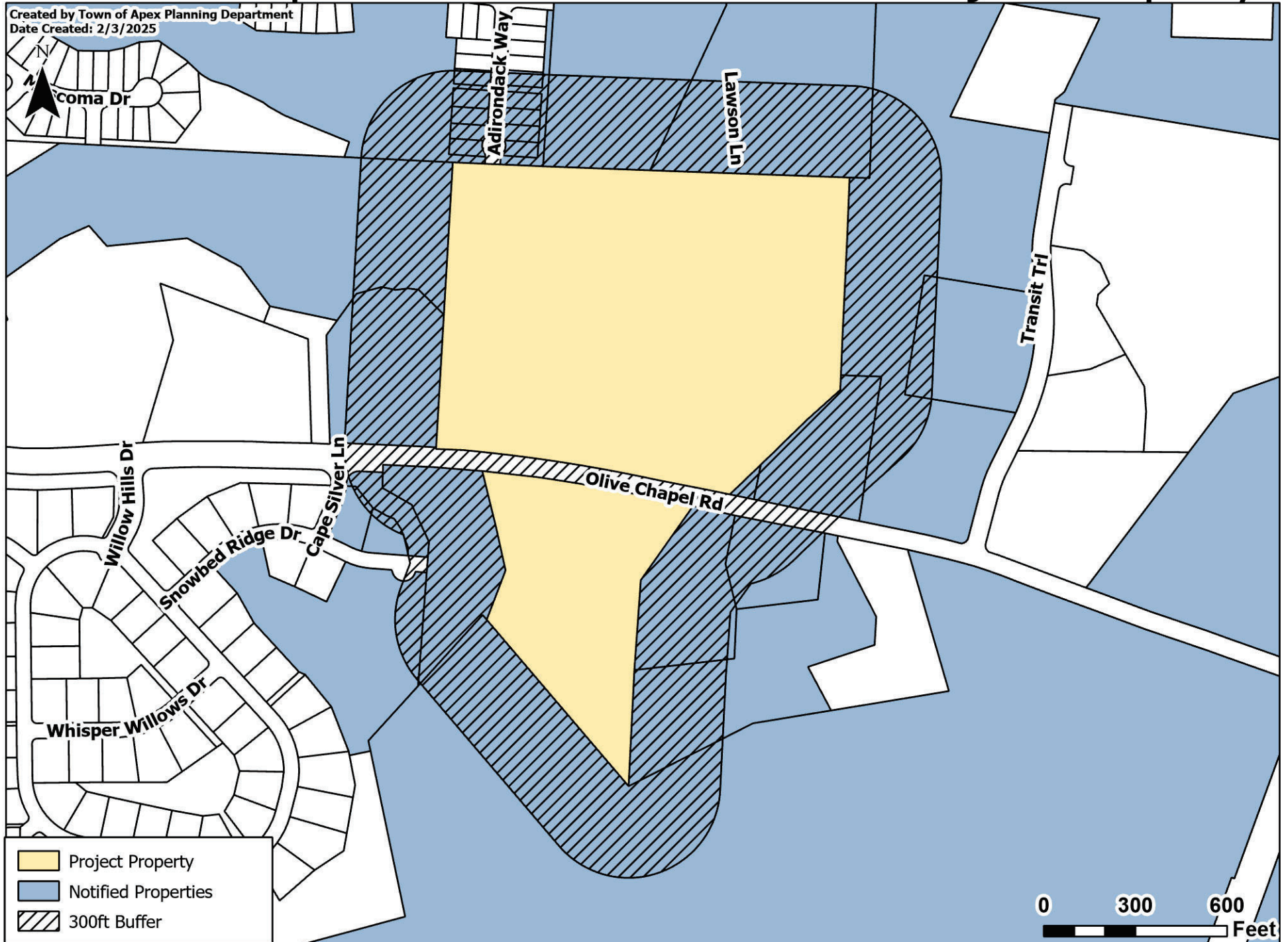
During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

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.

Notified Properties within 300ft of the Project Property

Created by Town of Apex Planning Department
Date Created: 2/3/2025





PRELIMINARY LAYOUT NOTES

GENERAL NOTES:

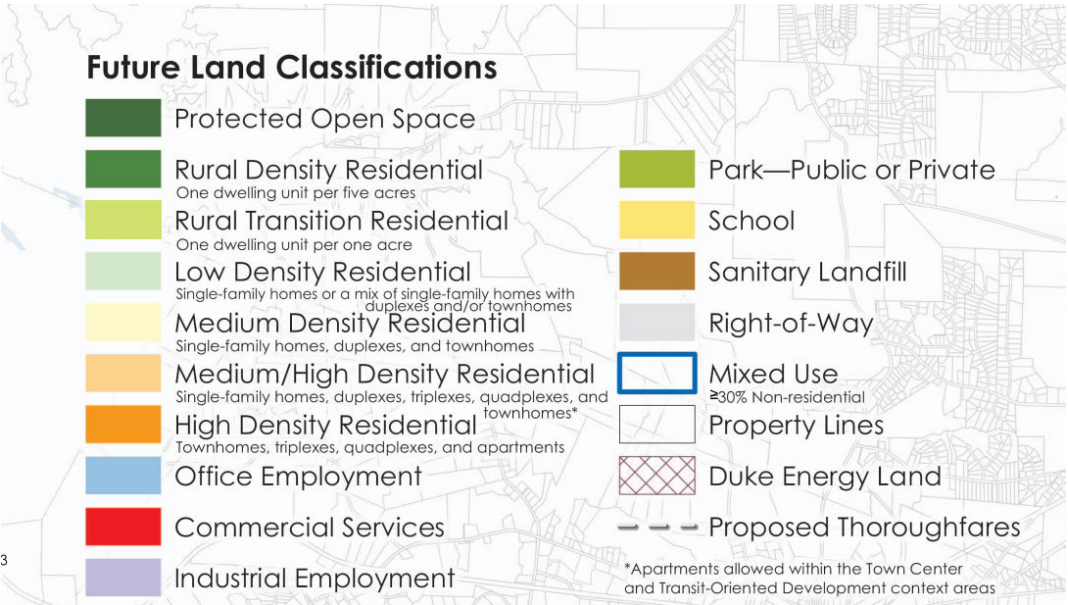
- [illegible]

LAND USE AMENDMENT



Current Land Use Designation
Rural Density Residential

Proposed Land Use Designation
Low Density Residential



1	Attendee Report				
2	Report Generated:	3/7/2025 0:10			
3	Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Registered
4	3228 Olive Chapel Rd Second Neighborhood Meeting	845 1302 1751	2/19/2025 17:15	76	18
5	Host Details				
6	Attended	User Name (Original N	Email	Join Time	Leave Time
7	Yes	Jason Barron	jbarron@Morningstarlawgroup.com	2/19/2025 17:15	2/19/2025 18:30
8	Yes	Jason Barron	jbarron@Morningstarlawgroup.com	2/19/2025 17:21	2/19/2025 18:30
9	Panelist Details				
10	Attended	User Name (Original N	Email	Join Time	Leave Time
11	Yes	Mark Bowles	mbowles@bakerresidential.com	2/19/2025 17:25	2/19/2025 18:30
12	Yes	Clint McClellen	cmcclellen@bgeinc.com	2/19/2025 17:24	2/19/2025 18:25
13	Yes	Dylan Miller	dmiller@bakerresidential.com	2/19/2025 17:24	2/19/2025 18:30
14	Yes	Tyler Blang	TylerB@ExultEngineering.com	2/19/2025 17:28	2/19/2025 18:30
15	Attendee Details				
16	Attended	User Name (Original N	First Name	Last Name	Email
17	Yes	Karen Foust	Karen	Foust	
18	Yes	Marcel Baruth	Marcel	Baruth	
19	Yes	Marcel Baruth	Marcel	Baruth	
20	Yes	Marcel Baruth	Marcel	Baruth	
21	Yes	Charles Dangelo	Charles	Dangelo	
22	Yes	Vinnie Schultz	Vinnie	Schultz	
23	Yes	Vinnie Schultz	Vinnie	Schultz	
24	Yes	Audrey Curlee	Audrey	Curlee	
25	Yes	Frank Agius	Frank	Agius	
26	Yes	Adriana Staiano	Adriana	Staiano	
27	Yes	Adriana Staiano	Adriana	Staiano	
28	Yes	Anne Babb	Anne	Babb	
29	Yes	Lea Burnett	Lea	Burnett	
30	Yes	Karen Welsh	Karen	Welsh	
31	Yes	Pat Jones	Pat	Jones	
32	Yes	Stephanie Gabriel	Stephanie	Gabriel	
33	Yes	Brian Wingler	Brian	Wingler	
34	No	Vicki	Vicki	Williams	
35	No	James	James	Roberts	
36	No	Gary	Gary	Eccles	
37	No	Patricia	Patricia	Vlajkovic	
38	No	Michael	Michael	Poulin	

< >

84513021751 - Attendee Report

+

SITE ADDRESS	PIN NUMBER	OWNER	MAILING ADDRESS	
1335 ADIRONDACK WAY	0712717948	BURNETT, LEA	1335 ADIRONDACK WAY	APEX NC 27502-7413
1812 LAWSON LN	0712821328	CLARA'S LEGACY LLC	1805 LAWSON LN	APEX NC 27502-9325
3204 OLIVE CHAPEL RD	0712804898	CLEMENT, MARTHA S	3200 OLIVE CHAPEL RD	APEX NC 27502-6785
3201 OLIVE CHAPEL RD	0712805684	COWAN, CHRISTOPHER DIRAIMONDO, ELIZABETH	3201 OLIVE CHAPEL RD	APEX NC 27502-6785
1328 ADIRONDACK WAY	0712725089	DREYTSER, ALEKSANDR	1328 ADIRONDACK WAY	APEX NC 27502-7413
1318 ADIRONDACK WAY	0712725292	FOUST, BARRY WILLIAM FOUST, KAREN ELIZABETH	1318 ADIRONDACK WAY	APEX NC 27502-7413
3205 OLIVE CHAPEL RD	0712802593	FOWLER, BENNETT C	3205 OLIVE CHAPEL RD	APEX NC 27502-6785
1336 ADIRONDACK WAY	0712715979	GABRIEL, STEPHANIE BLURR GABRIEL, SHERIF EDWARD	1336 ADIRONDACK WAY	APEX NC 27502-7413
533 NEW HILL OLIVE CHAPEL RD	0712616775	GOODWIN, SANDRA GAIL TRUSTEE GOODWIN, ALFRED KENT TRUSTEE	274 MAY FARM RD	PITTSBORO NC 27312-5738
3312 OLIVE CHAPEL RD	0712713207	HARDY, JAMES WARREN TRUSTEE HARDY, TERESA GOODWIN TRUSTEE	3312 OLIVE CHAPEL RD	APEX NC 27502-8517
3133 OLIVE CHAPEL RD	0712805207	HOLLAND, BRIAN D HOLLAND, ROBIN T	3133 OLIVE CHAPEL RD	APEX NC 27502-5710
3305 OLIVE CHAPEL RD	0712705757	HOPE MILLS HOMES LLC	2101 DELLA CT	APEX NC 27502-9708
3228 OLIVE CHAPEL RD	0712810293	LAWRENCE, JAMES L CHALK, KATHERINE L	KATHERINE L CHALK	1502 CHP SHOT DR
1324 ADIRONDACK WAY	0712725185	LEE, JOANNE SOYOUNG LEE, JUNG WON	1324 ADIRONDACK WAY	APEX NC 27502-7413
1327 ADIRONDACK WAY	0712727059	MANCINI, JOHN FRANCIS MANCINI, MARY GLENN	1327 ADIRONDACK WAY	APEX NC 27502-7413
1332 ADIRONDACK WAY	0712725074	POULIN, MICHAEL R POULIN, JOLINE M	1332 ADIRONDACK WAY	APEX NC 27502-7413
3400 SNOWBED RIDGE DR	0712703702	RAMAN, KANNAN ILANCHEZHIAN, AISHWARYA	3400 SNOWBED RIDGE DR	APEX NC 27502-7423
0 ADIRONDACK WAY	0712717964	RETREAT AT CEDAR CROSSING COMMUNITY ASSOCIATION IN	ASSOCIA HRW	4700 HOMEWOOD CT STE 380
1323 ADIRONDACK WAY	0712727154	ROBERTS, MARY C ROBERTS, JAMES C	1323 ADIRONDACK WAY	APEX NC 27502-7413
1101 NEW HILL OLIVE CHAPEL RD	0711668680	UNITED STATES OF AMERICA	310 NEW BERN AVE	RALEIGH NC 27601-1441
3406 SNOWBED RIDGE DR	0712701797	VANAMALA, DURGA PRASAD VANAMALA, SAMATHA	3406 SNOWBED RIDGE DR	APEX NC 27502-7423
1331 ADIRONDACK WAY	0712727044	VLAJKOVIC, PATRICIA A VLAJKOVIC, JOHN	1331 ADIRONDACK WAY	APEX NC 27502-7413
1317 ADIRONDACK WAY	0712727261	WELSH, KAREN A TRUSTEE THE KAREN A WELSH LIVING TRUST	1317 ADIRONDACK WAY	APEX NC 27502-7413
0 SNOWBED RIDGE DR	0712703820	WILLOW HILLS COMMUNITY ASSOCIATION INC	HRW	4700 HOMEWOOD CT STE 380
0 SNOWBED RIDGE DR	0712701369	WILLOW HILLS COMMUNITY ASSOCIATION INC	PPM INC	11010 RAVEN RIDGE RD
1904 TRANSIT TRL	0712912324	WINGLER, REBECCA C WINGLER, BRIAN C	1904 TRANSIT TRL	APEX NC 27502-8505
		Current Tenant	1812 Lawson LN	APEX NC 27502
		Current Tenant	533 New Hill Olive Chapel RD	APEX NC 27502
		Current Tenant	3228 Olive Chapel RD	APEX NC 27502
		Current Tenant	3305 Olive Chapel RD	APEX NC 27502

Created by Town of Apex Planning Department
Date Created: 2/3/2025

MOREHEAD CITY NC 28557-4918

RALEIGH NC 27609-5732

RALEIGH NC 27609-5732
RALEIGH NC 27614-8837

3228 Olive Chapel Rd Second Neighborhood Meeting Notes

February 19, 2025

The applicant provided a summary of where the case is in the rezoning process, and the overall development plan including the long range plan amendment. Following the applicant's presentation, the participants engaged in the following question and answer session:

1. **Modifications to Olive Chapel Road to accommodate new traffic; turn lanes, etc. work with DOT.** *We plan to widen Olive Chapel Road along our frontage to include a three-lane section with a central turn lane, a 10 ft side path on the north side, a bike lane, and a 100 ft eastbound left turn lane storage on Olive Chapel Rd as part of the town's comprehensive transportation plan.*
2. **You said that you were not ready to go to the planning board. Do you have a timeframe when you think you will go before the board?** *We do not have a specific timeframe for going before the planning board. We will update you as soon as our schedule is confirmed.*
3. **The existing circle at the terminus of Adirondack Way is incomplete.** *We are aware of the incomplete circle and are considering its completion to enhance driver caution and public safety.*
4. **Will there be stop signs at the intersection of Adirondack and the New Road and Lawrence Farms?** *There will not be stop signs facilitating traffic between Adirondack and New Road in Lawrence Farms.*
5. **Will you be able to turn both directions?** *Yes, the intersection design allows for turning in both directions.*
6. **Is that their plan? That means that this will serve as a future connection from our development up to 64. Will it be a three-way stop?** *The connection will serve as a future link to Highway 64 and will feature a two-way stop, with no further lots at the end of the cul-de-sac.*
7. **What is the requirement for flow? Is it possible to have it be a Collector Rd?** *The town's ordinance mandates multiple access points for emergency services, hence a one-way exit is not permissible under current regulations.*
8. **What's the name of the collector street?** *The collector street has not been named yet. Naming will occur during the subdivision phase in consultation with the town.*
9. **Frank mentioned the roundabout proposal sounds very interesting.** *We appreciate the interest and are open to discussing roundabout implementation as part of our comprehensive traffic management strategy with the community and town officials.*

10. **What other options do you consider for the connection at Adirondack?** *We are mandated to connect Adirondack through our property. While we aim to minimize traffic speeds, the town requires this connection. Alternative configurations will be considered to optimize traffic flow and safety.*
11. **What about a speed bump or other traffic calming device right at the intersection?** *The town generally opposes speed bumps due to potential hindrance to emergency services. However, we are open to exploring viable traffic calming measures that comply with local regulations and community safety needs.*
12. **Resolution to how the house is going to be moved.** *There are no specific plans yet for moving the house; we only know it needs to be relocated.*
13. **Is there a landscape buffer between the houses that are directly on the Adirondack?** *Yes, a 20-foot landscape buffer will be maintained and supplemented with appropriate vegetation to meet the town's buffering requirements.*
14. **Could you clarify whether there will be visual aids available tonight to help illustrate different traffic scenarios at roundabouts for those who find it challenging to visualize based solely on descriptions?** *We will ensure that visual aids are available to help illustrate traffic scenarios at roundabouts, aiding better understanding and community feedback.*
15. **I was wondering whether we can see a stormwater runoff or anything else regarding the environment that's really sensitive areas?** *We are committed to effective stormwater management and will provide detailed plans on how runoff will be handled to avoid any negative impact on neighboring properties and the environment.*
16. **Certainly, with the elevation from next door, I have some concerns about that.** *The topography ensures that all water flows away from adjacent properties towards Jordan Lake, reducing any risk of water backup.*
17. **I would think a roundabout would increase the speed at which people enter Adirondack ways?** *We are considering community feedback on traffic speeds at roundabouts and are willing to discuss optimal configurations for safety and efficiency.*
18. **Do you feel this stop sign would be more calming than roundabout it?** *The effectiveness of stop signs versus roundabouts depends on specific site conditions and traffic patterns. We will conduct further analysis to determine the most suitable option for calming traffic.*
19. **The Olive Glen roundabout reduces speed and is not there because of conflict points, perhaps the answer is in the actual design (width, radius) of the "Adirondack" roundabout. May this can be studied?** *Yes, the design of the "Adirondack" roundabout will be studied to determine its effectiveness in managing traffic flow and enhancing safety.*

20. **The school traffic congestion is very problematic as every student must be dropped off. Two schools from pre-K to High School. Can anything be done with the schools to control the number of cars cutting through?** *While we cannot directly control traffic patterns, we are open to collaborating with the school board to discuss potential solutions to mitigate congestion.*

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, Jason Barron, 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 Zoom-https://morningstarlaw.group/20250219.mtg (location/address) on February 19, 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 7, 2025

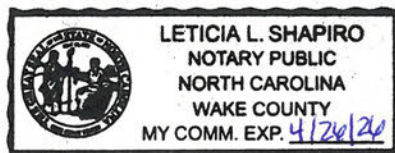
Date


By. 

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Leticia L. Shapiro, a Notary Public for the above State and County, on this the 7th day of March, 2025.

SEAL




Notary Public

Leticia L. Shapiro

Print Name

My Commission Expires: 4/26/26



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 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 2nd 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.

April 2, 2025

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at
3228 Olive Chapel Rd 0712810293

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 checked="" 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 Planned Unit Development - Conditional Use (PUD-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: Second Neighborhood Meeting

MEETING INFORMATION:

Property Owner(s) name(s): James L. Lawrence; Katherine L. Chalk

Applicant(s): Baker Residential

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

Meeting Address: <https://morningstarlaw.group/04162025.mtg>

Date/Time of meeting**: April 16, 2025/5:30pm-6:30pm

Welcome: 5:30pm-5:35pm Project Presentation: 5:35pm-5:45pm 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: Lawrence Farm Rezoning Zoning: R-80W

Location: 3228 Olive Chapel Rd

Property PIN(s): 0712810293 Acreage/Square Feet: 41.02

Property Owner: James L. Lawrence; Katherine L. Chalk

Address: 1502 Chip Shot Dr.

City: Morehead City State: NC Zip: 28557-4918

Phone: _____ Email: _____

Developer: Mark Bowles, Baker Residential

Address: 7001 Weston Parkway, Suite 150

City: Cary State: NC Zip: 27513

Phone: 984-275-2223 Fax: _____ Email: mbowles@bakerresidential.com

Engineer: Clint McClellen, PLA - BGE, Inc.

Address: 5438 Wake Park Boulevard, Suite 420

City: Raleigh State: NC Zip: 27607

Phone: 817-887-6130 Fax: _____ Email: cmcclellen@bgeinc.com

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Public Works - Transportation Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Echols, Utility Engineering Manager (Water & Sewer)	(919) 372-7505
Electric Utilities Division Rodney Smith, Electric Technical Services Manager	(919) 249-3342

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic:	James Misciagno	919-372-7470
------------------------------	------------------------	---------------------

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

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

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

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

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

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

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

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

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

Dust:	James Misciagno	919-372-7470
--------------	------------------------	---------------------

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

Trash:	James Misciagno	919-372-7470
---------------	------------------------	---------------------

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

Temporary Sediment Basins:	James Misciagno	919-372-7470
-----------------------------------	------------------------	---------------------

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

Stormwater Control Measures:	Jessica Bolin	919-249-3537
-------------------------------------	----------------------	---------------------

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

Electric Utility Installation:	Rodney Smith	919-249-3342
---------------------------------------	---------------------	---------------------

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

How to Participate in the April 16, 2025 Neighborhood Meeting

To participate by PC, Mac, iPad, iPhone or Android device, go to <https://morningstarlaw.group/04162025.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: 846 2824 4640
- Passcode: 351574
- 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 prior to the meeting for assistance. If you have difficulty connecting during the meeting, please email tshapiro@morningstarlawgroup.com and the meeting link will be sent to help assist.

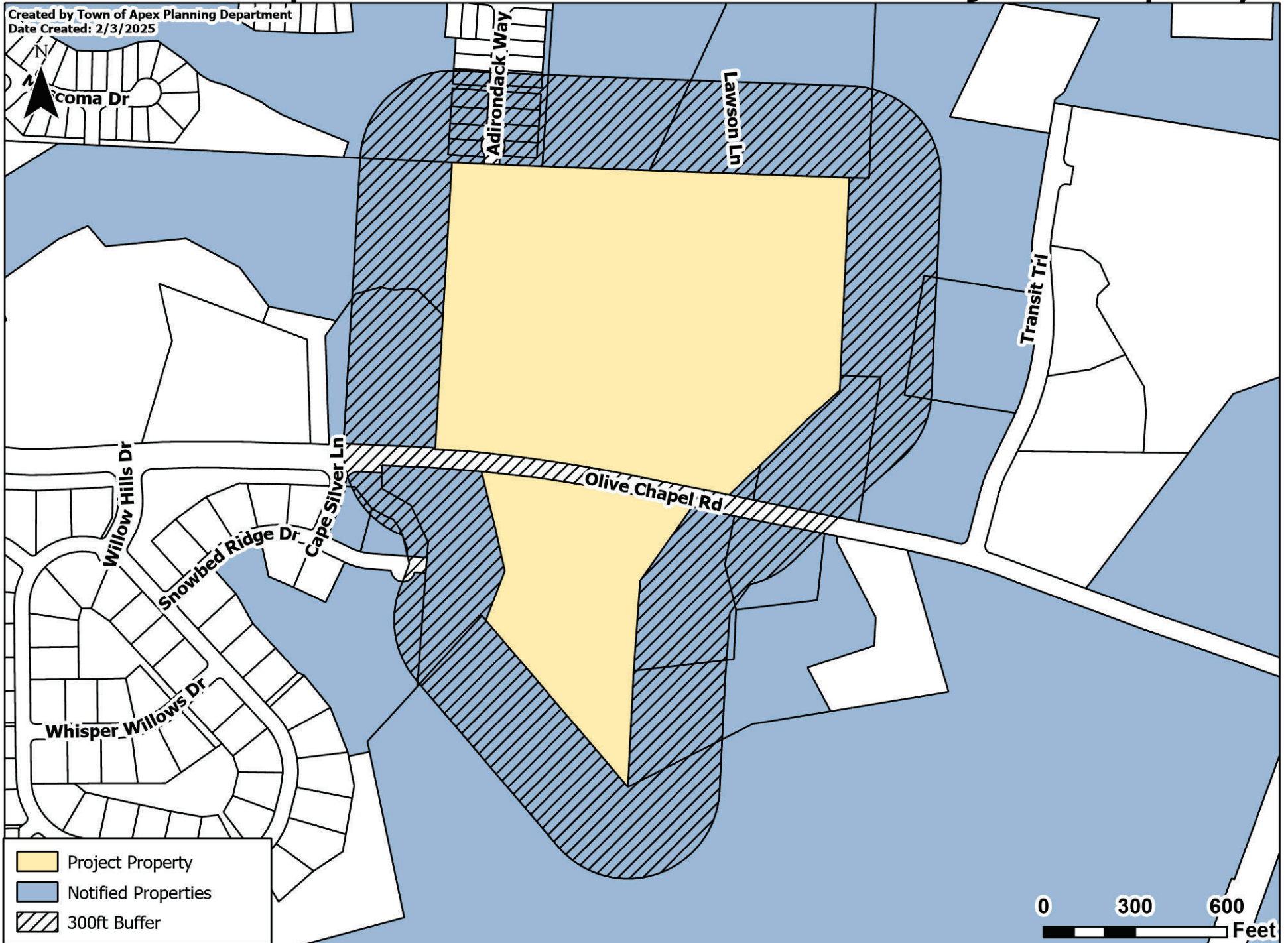
During the meeting, participants will be muted by default. Also, participants' video will be off by default, i.e. only the presenters will be visible.

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.

Notified Properties within 300ft of the Project Property

Created by Town of Apex Planning Department
Date Created: 2/3/2025





PRELIMINARY LAYOUT NOTES

GENERAL NOTES:

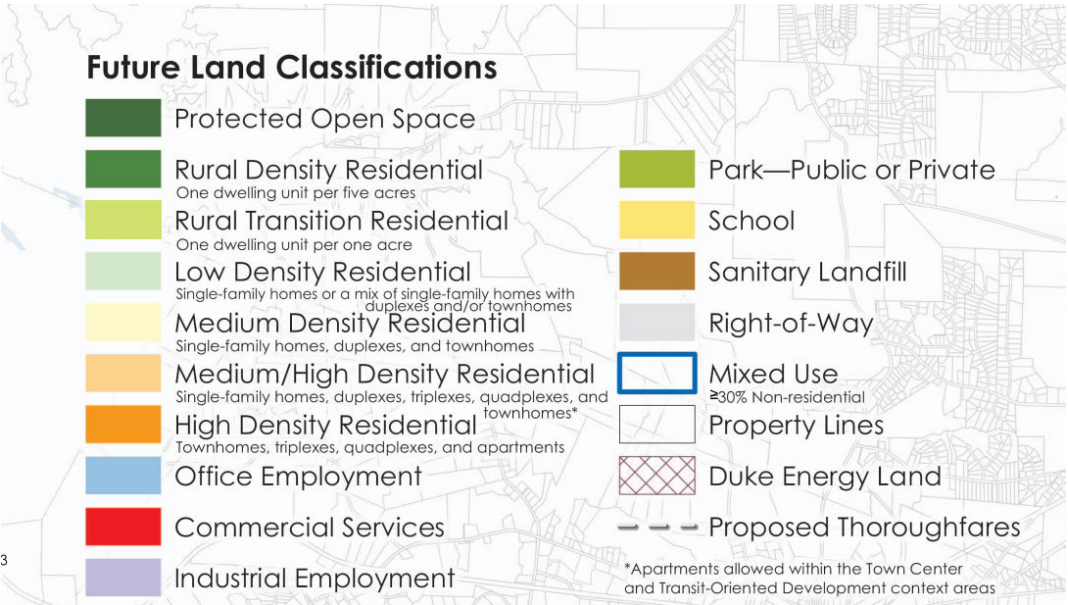
1. ALL ZONING REGULATIONS ARE INTENDED FOR REGULATORY PURPOSES ONLY. ALL ZONING COMPONENTS SHALL BE DETERMINED DURING THE MAJOR SITE PLAN APPROVAL PROCESS.
 2. THE USE OF THE TEST CASES TO DETERMINE THE APPLICABLE ZONING COMPONENTS AND OTHER ZONING STANDARDS.
 3. ALL ZONING ACCESS LOCATIONS AND PROCEDURES, INCLUDING ANY CONCESSIONS, SHALL BE DETERMINED DURING THE MAJOR SITE PLAN APPROVAL PROCESS.
 4. THE PROTECTION FENDING SHALL BE PLACED IN ACCORDANCE WITH THE TOWN OF WARE'S UNIFORM DEVELOPMENT ORDINANCE.
 5. ALL PARKING STANDARDS SHALL COMPLY WITH THE TOWN OF WARE'S UNIFORM DEVELOPMENT ORDINANCE.
 6. THE PROPOSED CONSTRUCTION AREA SHALL BE FENCED DURING THE MAJOR SITE PLAN APPROVAL PROCESS.
 7. NO BARRIERS ARE APPROVED AS PART OF THE FENCE OR ALTERNATELY, A SEPARATE FENCE PERMIT MUST BE OBTAINED FROM THE TOWN OF WARE. THE FENCE SHALL BE CONSTRUCTED TO MEET ALL REQUIREMENTS REQUIRED TO SATISFY REGULATIONS. REQUIREMENTS THAT MEET ANY APPLICABLE AND APPLICABLE TO THE TOWN OF WARE'S UNIFORM DEVELOPMENT ORDINANCE AND THE REQUIREMENTS OF THE TOWN OF WARE'S PARK AND RECREATION DEPARTMENT.
 8. THE FENCE SHALL BE NOT BE LIMITED TO LIGHTING, LANDSCAPING, SIGNAGE, OR STANDARDS FOR THE TOWN OF WARE'S UNIFORM DEVELOPMENT ORDINANCE.
 9. LANDSCAPING OF THE LAKE SHORELINE SHALL BE SUBMITTED AS REQUIRED TO PROTECT THE EXISTING SHORELINE AND ASSOCIATED OUTCROPPINGS AS WELL AS THE RECREATED HORIZON.
 10. EXISTING STRUCTURES WITHIN THE PROPOSED ADJACENT OPEN SPACES/RECREATION AREAS MAY REMAIN IN PLACE PROVIDED THAT THEY DO NOT VIOLATE ANY APPLICABLE ZONING COMPONENTS FROM THE TOWN OF WARE'S UNIFORM DEVELOPMENT ORDINANCE.
 11. ALL CONSTRUCTION SHALL COMPLY WITH THE TOWN OF WARE'S STANDARDS AND SPECIFICATIONS.
 12. ALL WATERING AND SEWERAGE SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED TO MEET ALL STANDARDS, WITH UNDISTURBED PORTIONS SHALL BE SUPPLEMENTED TO A TYPE "B" STANDARD.
- UTILITIES:**
1. THE PROJECT IS REQUIRING FULL TOWN SERVICES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER AND GAS.
 2. THE PROJECT WILL NOT UTILIZE PRIVATE SEWER DISPOSAL SYSTEMS.
 3. ALL UTILITY ADJUSTMENTS SHALL BE PROVIDED AS NECESSARY. EXACT LOCATION SHALL BE DETERMINED AT THE TIME OF CONSTRUCTION.
 4. ALL CONSTRUCTION SHALL COMPLY WITH THE TOWN OF WARE'S STANDARDS AND SPECIFICATIONS.
 5. ALL WATERING AND SEWERAGE SYSTEMS SHALL BE DESIGNED, OBTAINED, OBTAINED AND MAINTAINED

LAND USE AMENDMENT



Current Land Use Designation
Rural Density Residential

Proposed Land Use Designation
Low Density Residential



Attendee Report

Report generated time

4/21/2025 23:04

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Registrants
3228 Olive Chapel Road Neighborhood Meeting	846 2824 4640	4/16/2025 17:22	69	12

Host Details

Attended	User Name (Original Name)	Email	Join Time	Leave Time
Yes	Leticia Shapiro	tshapiro@morningstarlawgroup.com	4/16/2025 17:22	4/16/2025 18:30

Panelist Details

Attended	User Name (Original Name)	Email	Join Time	Leave Time
Yes	Mark Bowles	mbowles@bakerresidential.com	4/16/2025 17:26	4/16/2025 18:30
Yes	Dylan Miller	dmiller@bakerresidential.com	4/16/2025 17:33	4/16/2025 18:30
Yes	Jason Barron	jbarron@Morningstarlawgroup.com	4/16/2025 17:27	4/16/2025 17:28
Yes	Jason Barron	jbarron@Morningstarlawgroup.com	4/16/2025 17:28	4/16/2025 17:29
Yes	Branden Foster (Jason Barron)	jbarron@Morningstarlawgroup.com	4/16/2025 17:30	4/16/2025 18:30

Attendee Details

Attended	User Name (Original Name)	First Name	Last Name	Email
Yes	Vinnie Schultz	Vinnie	Schultz	
Yes	Marcel Baruth	Marcel	Baruth	
Yes	Aleksandr Dreytser	Aleksandr	Dreytser	
Yes	Stephen Ziegler	Stephen	Ziegler	
Yes	Bennett Fowler	Bennett	Fowler	
Yes	Bennett Fowler	Bennett	Fowler	
Yes	Bennett Fowler	Bennett	Fowler	
Yes	Ryan Smith	Ryan	Smith	
Yes	Patricia Vlajkovic	patricia	vlajkovic	
Yes	patricia vlajkovic	patricia	vlajkovic	
Yes	MICHAEL POULIN	MICHAEL	POULIN	
Yes	MICHAEL POULIN	MICHAEL	POULIN	
Yes	Karen Foust	Karen	Foust	
Yes	Karen Foust	Karen	Foust	
Yes	Frank Agius	Frank	Agius	
Yes	Gary Eccles	Gary	Eccles	
Yes	Chris Goodwin	Chris	Goodwin	

3228 Olive Chapel Rd Neighborhood Meeting Notes

April 16, 2025

1. What is the current stage of the project in the rezoning process?

We are at the final neighborhood meeting awaiting confirmation of agenda placement for the Planning Board and Town Council public hearings.

2. Will nearby residents be notified about the public hearings?

Yes, if you reside within 300 feet of the property, the Town will send you a notice. If not, contact the project team to be added to the notification list.

3. Will Lawson Lane be realigned to connect to the major collector?

The stub for the major collector is an approximate location, and connection to Lawson Lane is not required. We can work offline related to alignment.

4. Will property owners be responsible for relocating Lawson Lane?

No, it will not be the responsibility of the property owners.

5. Will the developer commit to connecting the collector to Lawson Lane?

The team has expressed willingness to explore relocation of the connector, contingent upon securing temporary easements.

6. Will the Lawson Lane connection be included as a rezoning condition?

The team is open to formalizing the commitment in writing through a separate agreement.

7. Has the name of the major collector been determined?

Not yet.

8. What happened with the mailbox relocation request made to a 96-year-old resident?

The development team is unaware of any formal notice or directive. Residents should reach out if further issues arise.

9. Will the southern portion of the site include new housing?

No.

10. How many new homes will be built in total?

The development will include a maximum of 57 new homes on the northern portion of the property.

11. Will a traffic light be installed at Olive Chapel and New Hill Olive Chapel?

This intersection does not currently warrant a signal.

12. Are traffic calming measures being considered?

Yes. Traffic calming, such as a neighborhood roundabout or chicanes, have been included as a proposed zoning condition. We have not heard back from staff related to this proposed zoning condition.

13. Has a specific design been proposed for the roundabout or chicanes?

No. Design specifics will be addressed during the site plan stage.

14. Will the traffic calming be located on the Lawrence Farm property or the Retreat?

The developer is open to locating calming measures wherever most effective, with a preference for their own property due to space constraints.

15. Is a detailed engineering analysis available for sight distances on Olive Chapel Road?

Preliminary engineering suggests current designs address sight distance adequately, but final grading plans will be developed later.

16. Will Olive Chapel Road be widened?

Yes.

17. Will curb and gutter be installed along the widened roadway?

While not yet finalized, curb and gutter are anticipated on both sides of the roadway.

18. Is there a plan to extend a road over the creek to connect with the pump station?

No.

19. Is stormwater infrastructure being updated to prevent runoff onto private property?

This has not yet been studied. The developer is open to discussing drainage concerns with impacted property owners.

20. Has a full traffic impact analysis (TIA) been conducted?

No; however, trip generation estimates were performed and shared with neighbors.

21. Are nearby NCDOT roadway improvements planned?

Yes. The DOT plans to realign Olive Chapel Road and New Hill Olive Chapel Road and widen New Hill Olive Chapel to four lanes with a center turn lane.

22. What efforts are being made to address regional traffic concerns?

While not required, the development team has advocated for comprehensive planning and encourages residents to raise broader traffic concerns with Town staff and officials.

23. Can the traffic analysis data be shared with the Retreat community?

Yes, data from trip generation estimates used in nearby rezonings can be shared upon request from the Town.

24. Will this project contribute to increased cut-through traffic?

There is a potential for cut-through traffic. We have provided a proposed zoning condition that offers traffic calming measures.

25. Will resident feedback from this meeting be shared with the Town?

Yes. Feedback will be summarized in the neighborhood meeting report submitted to the Town as part of the rezoning application.

26. Who should residents contact with follow-up questions?

Residents can reach out to the development team representatives, including Jason Barron, for additional questions or clarification. You can also reach out to the Town directly.

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 Zoom Platform (location/address) on April 16, 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.

4/22/25
Date

By: [Signature]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Terri Lee Tolley, a Notary Public for the above State and Durham County, on this the 22nd day of April, 2025.



[Signature]
Notary Public
Terri Lee Tolley
Print Name

My Commission Expires: 8/25/2028

APEX ENVIRONMENTAL ADVISORY BOARD

Suggested Zoning Conditions



Project Name: Lawrence Property PUD-CZ

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
Goal 1. Increase riparian buffer widths from surface waters in environmentally sensitive areas. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
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.			

Environmental Advisory Board – Suggested Zoning Conditions

STORMWATER AND WATER CONSERVATION – WATER QUALITY (1-5)	YES	NO	N/A
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"/>
Goal 3. Implement Low Impact Development (LID) techniques as defined by the NC Department of Environmental Quality. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Goal 4. Increase pervious surface to reduce stormwater runoff and pollutant concentrations. <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. AND/OR 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 5. Use the stormwater captured in the on-site SCM to irrigate landscaping within the development. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
Goal 6. Preserve tree canopy and prioritize medium to large, healthy, desirable species. <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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (6-13)	YES	NO	N/A
Goal 7. Plant trees to improve energy efficiency. <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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goal 8. Increase biodiversity. Note: Invasive species are prohibited. Please see the Town's Design and Development Manual 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 Design & Development Manual 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AND/OR			
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goal 9. Implement xeriscaping in design, which will use landscaping that requires less irrigation and chemical use. Contact Planning for assistance, if needed.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
b. To reduce irrigation requirements, the project shall select and plant only warm season grasses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goal 10. Promote the benefits of native pollinators. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goal 11. Improve soil quality to be amenable for a variety of native and non-invasive plantings.			

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (6-13)		YES	NO	N/A
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 type="checkbox"/>	<input type="checkbox"/>
Goal 12. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas). 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goal 13. Reduce impacts to resource conservation Areas (RCAs). 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. OR 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 type="checkbox"/> <input checked="" type="checkbox"/>

SUSTAINABLE BUILDINGS (14)	YES	NO	N/A
<p>Goal 14. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard.</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WASTE MANAGEMENT (15)	YES	NO	N/A
<p>Goal 15. Encourage the proper disposal of pet waste to reduce environmental impacts. <i>Numbers shown may be changed based on project.</i></p> <p>The project shall install at least one (1) pet waste station per 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.</p>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CLEAN ENERGY (16-18)	YES	NO	N/A
Goal 16. Install rooftop solar on buildings.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AND/OR			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AND/OR			

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 17. Include solar conduit in building design. All homes shall be pre-configured with conduit for a solar energy system.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 18. Encourage clean transportation. The developer shall install at least ____ electric vehicle charging station in amenity centers or common area parking lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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
Goal 1. Increase design storm for retention basin in flood-prone areas. 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"/>
OR			
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
Goal 2. Increase riparian buffer widths from surface waters in environmentally sensitive areas. 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"/>
Goal 3. Limit tree clearing, stormwater control measures (SCM), or infrastructure in either zone of the riparian buffer. 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"/>
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. 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"/>
Goal 5. Implement low impact development (LID) techniques as defined by the NC Department of Environmental Quality. 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>Goal 6. Increase pervious surface to reduce stormwater runoff and pollutant concentrations. The Department of Public Works & 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;">AND/OR</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>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Goal 7. Stormwater re-use application: 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
Goal 8. Preserve tree canopy and prioritize medium to large, healthy, desirable species.			
<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%.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
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. <u>Option 8.2:</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. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 9. Plant trees for improved energy efficiency. <u>Option 9.1:</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. <u>Option 9.2:</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"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Goal 10. Increase biodiversity. <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 Design & Development Manual for suggested native species). 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. OR 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. <u>Option 10.2:</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. <u>Option 10.3:</u> Increase the number of native tree and shrub species selected. 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. OR 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.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Goal 11. Implement green infrastructure. <u>Option 11.1:</u> Plant rain gardens. The project shall install one or more rain gardens throughout the site. <u>Option 11.2:</u> Install vegetated rooftops. a. The project shall install a vegetated rooftop, aka green roof, on each building. OR b. The project shall install a vegetated rooftop, aka green roof, on at least ____ft ² of each building.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

PLANTING AND LANDSCAPING (8-15)	YES	NO	N/A
<u>Option 11.3:</u> Implement xeriscaping in design.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
c. To reduce irrigation requirements, the project shall select and plant only warm season grasses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 12. Install community gardens and native pollinator demonstration gardens. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 13. Improve soil quality to be amenable for a variety of native and non-invasive plantings. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 14. Increase perimeter buffer requirements, especially in transitional areas (nonresidential to residential areas). 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
b. A farm-style split rail fence shall be installed where wooded or natural condition Resource Conservation Area (RCA) abuts individual residential lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUSTAINABLE BUILDINGS (16)	YES	NO	N/A
Goal 16. Apply for green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Environmental Advisory Board – Suggested Zoning Conditions

WASTE REDUCTION (17)	YES	NO	N/A
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"/>

CLEAN ENERGY (18-20)	YES	NO	N/A
Goal 18. Install rooftop solar on buildings.			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OR			
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"/>
Goal 19. Include solar conduit in building design.			
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"/>
Goal 20. Encourage clean transportation.			
a. The installation of EV charging spaces shall not reduce the width of adjacent sidewalk to less than 5 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AND/OR			
b. EV charging spaces shall be located such that the cords shall not cause a trip hazard.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AND/OR			
c. The developer shall provide 5% of all parking spaces as EV charging spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

LIGHTING EFFICIENCY (21-24)	YES	NO	N/A
Goal 21. Include energy efficient lighting in building design.			
<u>Option 21.1: Increase the use of LEDs.</u> 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: Lower maximum foot-candles outside of buildings.</u> On the lighting plan, the average footcandle measurement for parking, building lighting and driveways shall be at least 0.5 footcandles lower than the UDO requires.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Goal 22. Install timers or light sensors or smart lighting technology.			
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"/>
Goal 23. Include International Dark Sky Association compliance standards.			
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

Applicant Clarification/Additional Language:

Additional Board Recommendations:

Lawrence Property PUD

PD PLAN

APEX, NORTH CAROLINA

Submitted: August 1, 2024

Resubmitted: December 2, 2024

Resubmitted: January 3, 2025

Resubmitted: February 7, 2025

Resubmitted: March 7, 2025

Resubmitted: April 4, 2025

Resubmitted: April 23, 2025

Resubmitted: May 13, 2025

PREPARED BY:

Jason Barron

Leticia Shapiro



Clint McClellen



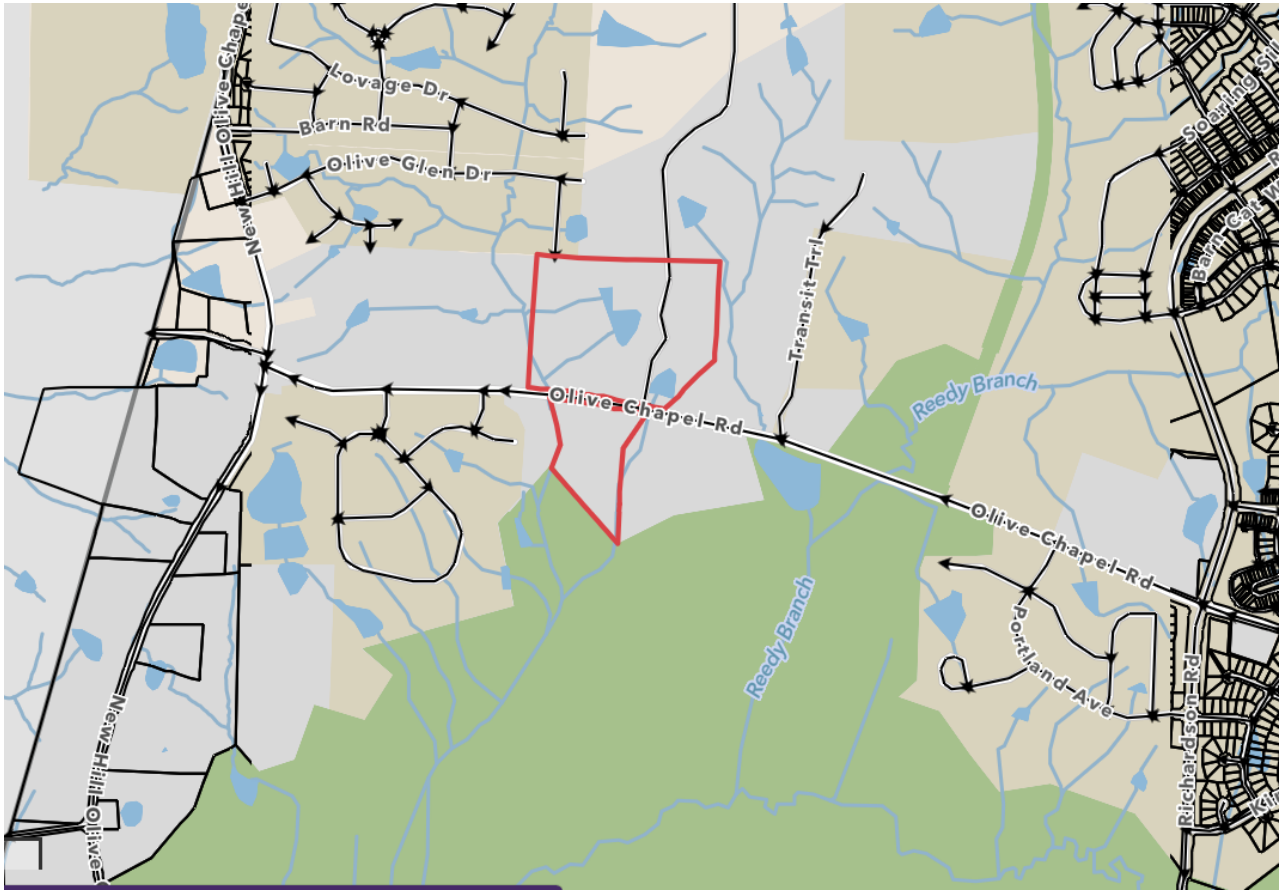
Bob Zumwalt

Kimley»Horn

Section 1: Table of Contents – PUD Text

Section 1:	Table of Contents
Section 2:	Vicinity Map
Section 3:	Project Data
Section 4:	Purpose Statement
Section 5:	Permitted Uses
Section 6:	Design Controls
Section 7:	Architectural Controls
Section 8:	Parking and Loading
Section 9:	Signage
Section 10:	Natural Resource and Environmental Data
Section 11:	Stormwater Management
Section 12:	Parks and Recreation
Section 13:	Public Facilities
Section 14:	Phasing Plan
Section 15:	Environmental Zoning Conditions
Section 16:	Affordable Housing
Section 17:	Compliance with the UDO
Section 18:	Consistency with the 2045 Land Use Map

Section 2: Vicinity Map



The Lawrence Property PUD is located in the White Oak Township and is anticipated to be developed within the Town of Apex. The property is divided by Olive Chapel Road and is situated between the intersections: New Hill Olive Chapel Road to the west and Richardson Road to the east.

The portion of the property located north of Olive Chapel Road is surrounded by single family development (Deer Creek) to the northwest and rural developments on large lots to the north, west, and east.

The portion of the parcel located south of Olive Chapel Road is surrounded by single family large lot to the west, rural developments on large lots to the east, and federal land to the south.

Section 3: Project Data

A. Name of Project:

LAWRENCE PROPERTY PUD

B. Property Owners:

James L. Lawrence
Katherine L. Chalk
1502 Chip Shot Drive
Morehead City, NC 28557-4918

Prepared By:

Jason Barron/Leticia Shapiro
Morningstar Law Group
434 Fayetteville St | Ste 2200
Raleigh, NC 27601

C. Current Zoning Designation:

R-80W (Wake County)

D. Proposed Zoning Designation:

Planned Unit Development – Conditional Zoning (PUD-CZ)

E. Current 2045 Land Use Map Designation:

Rural Density Residential

F. Proposed 2045 Land Use Map Designation:

Northern Area: Low Density Residential
Southern Area: Rural Transitional Residential

G. Proposed Use

Single family detached homes

H. Size of Project

A total of +/-41.02 acres

Section 4: Purpose Statement

The Lawrence Property PUD provides a unique development opportunity to provide a residential development at appropriate density that blends well with the existing area, and preserves the rural character of Olive Chapel Road area by setting the single family lots back from the road and providing a wide buffer. In addition, the PUD will provide construction of a north-south collector street.

The PUD proposes to relocate a home of historical significance from the northern section (north of Olive Chapel Road) to the southern section (south of Olive Chapel Road) and include a permanent preservation of open space for the area surrounding the historic house adjacent to existing federal lands.

This concept is consistent with the Town's stated PUD goals to provide site-specific, high-quality neighborhoods that exhibit natural feature preservation as well as compatibility with, and connectivity to, surrounding land uses. More specifically, this plan will:

- Allow uses that are compatible with Section 4.2.2, *Use Table* of the UDO
- Preserve an existing home of historical significance and relocate the historic home to the south area of Olive Chapel Road with permanent open space adjacent to federal lands/protected open space.
- Maintain the rural character of Olive Chapel Road by locating new homes a significant distance from the road.
- The PUD includes construction of a Town major collector street through the northern site area.
- Provide preservation of existing environmentally sensitive areas.
- Provide appropriate buffering from the proposed use to the existing residential areas.
- Provide a high-quality community that is linked by a network of connected streets, pedestrian sidewalks, and sidepaths that promotes connectivity, walkability, and healthy lifestyles.
- Exhibit character and quality that is compatible with surrounding communities, which is expected to enhance the value of surrounding land uses.
- Demonstrate dimensional standards that are consistent with the UDO, and where variations occur, said variations will be included herein and subject to Council approval

All site-specific standards and conditions of this PUD Plan shall be consistent with all Conditional Zoning (CZ) District standards set forth in UDO Section 2.3.3, *Conditional Zoning Districts* and UDO Section 2.3.4.F.1, *Planned Unit Development (PUD-CZ) District*, except as provided for herein. The proposed PUD will provide a development density that is consistent with principles found throughout *Advance Apex 2045*.

Section 5: Permitted Uses

The subject property 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, except as modified herein. 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. Specifically, the permitted uses include:

A maximum of 57 single family residential units shall be permitted upon the property.

- Single family detached homes
- Recreation facility, private
- Accessory apartment
- Park, active
- Park, passive
- Utility, minor

Section 6: Proposed Design Controls

A. Residential Densities and Design Controls

Maximum Density:	1.6 Units/ Acre (includes RCA and rights-of-way)
Maximum Number of Units:	57
Maximum Built-Upon Area:	25%
Minimum Lot Size:	7,500 SF
Proposed Building Height:	35 feet, no more than 2 stories

Note: Porches, patios, decks and other accessory structures may encroach into building setbacks as allowed by the Town of Apex UDO.

Minimum Building Setbacks:

	Single family detached (feet)	Recreational Facility (feet)
Front	20	10
Side	5	10
Side (corner)	10	10
Rear	20	10
Building-to-buffer/RCA	10	10
Parking-to-buffer/RCA	5	5

B. Buffers

Buffer Location	Buffer Width and Type
Perimeter buffers	20' Type B
Thoroughfare buffer (Olive Chapel Road)	50' Type B
Thoroughfare buffer (Olive Chapel Road) along the historic house parcel	50' Type E

Thoroughfare buffer (Olive Chapel Road) adjacent to the play lawn area as shown on the PUD site plan	30' Type B
Major Collector buffer	10' Type A

Section 7: Proposed Architectural Controls

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 Master Subdivision submittal. The following conditions shall apply:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.
2. Rear and side elevations of units that have right-of-way frontage shall have trim around the windows.
3. Eaves shall project at least 12 inches from the wall of the structure.
4. A minimum of three of the following features shall be used on each building:
 - a. decorative shake
 - b. board and batten
 - c. decorative porch railing/posts
 - d. shutters
 - e. decorative/functional air vents on roof or foundation
 - f. recessed windows
 - g. decorative windows
 - h. decorative brick/stone
 - i. gables
 - j. decorative cornices
 - k. tin/metal roof
5. The visible side of a home on a corner lot facing the public street shall contain at least 3 decorative elements such as, but not limited to, the following elements:

Windows	Decorative shake
Bay window	Decorative air vents on gable
Recessed window	Decorative gable
Decorative window	Decorative cornice
Trim around the windows	Column
Wrap around porch or side porch	Portico
Two or more building materials	Balcony
Decorative brick/stone	Dormer
Decorative trim	

6. Garage doors shall include windows, decorative details, or carriage-style adornments on them.
7. Windows that are not recessed must be trimmed.

Lawrence Property PUD

8. Street facing garages that protrude more than 1 foot out from the front façade and front porch will have a trellis above the garage door or doors.
9. Street facing garages shall not protrude more than 5 feet out from the front façade or front porch. Living space above a garage shall not be considered part of the front façade.
10. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three (3) color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color.
11. House entrances shall have a covered porch area leading to the front door.
12. Front porches shall be a minimum of 5 feet deep.
13. Garage doors on the front façade of homes that face the street shall not exceed 50% of the total width of the house and garage together.
14. No more than 25% of lots may be accessed with J-driveways. There shall be no more than 3 such homes in a row on any single block. Any lots eligible for a J-driveway home shall be identified on the Final Plat.

CONCEPTUAL BUILDING ELEVATIONS



Lawrence Property PUD



Lawrence Property PUD





Section 8: Parking and Loading

Parking for the development shall meet requirements of UDO Section 8.3.

Section 9: Signage

All signage for this PUD shall comply with Apex UDO Section 8.7, *Signs*, of the Town of Apex UDO.

Section 10: Natural Resource and Environmental Data

A. River Basins and Watershed Protection Overlay Districts

The project is located within Cape Fear River Basin, Jordan Lake Watershed, and Primary Watershed Protection Overlay District as shown on the Town of Apex Watershed Protection Overlay Map 2019. This PUD will comply with all built upon area, vegetated conveyances, structural SCMs and riparian stream buffer requirements of UDO Section 6.1.8.

B. Resource Conservation Areas (RCA) – Required and Provided

This PUD will be subject to, and meet the requirements of Section 8.1.2 of the UDO, *Resource Conservation Area* and Section 2.3.4, *Planned Development Districts*. The project shall provide 40% RCA (14.35 acres).

C. Historic Structures

In coordination with Capital Area Preservation, the PUD proposes to move the existing historic home across Olive Chapel Road to the area designated “Historic Property Relocation” as shown on sheet C100 of the PUD Map. The North Carolina State Historic Preservation Office (SHPO) shows the property (WA1047 - H.T. Lawrence Farm) was placed on the State Study for the National Register of Historic Places in 1991. In coordination with Capital Area Preservation (CAP) and SHPO, the PUD proposes to preserve, relocate, and donate the historic resources pending determination by SHPO and/or CAP and include a donation agreement prior to Construction Plan Approval.”

Section 11: Stormwater Management

Development shall meet all stormwater requirements listed in the UDO, in accordance with Section 6.1.7.

Section 12: Parks and Recreation

Lawrence PUD #24CZ16 was reviewed at the January 29, 2025, PRCR Advisory Commission. The Commission unanimously recommended a fee-in-lieu of dedication for a maximum of 57 Single Family units. The Fee-in-lieu rate will be set at the time of Town Council action on the Rezoning and run for the life of the project,

Future Greenway indicated on the Preliminary Site Layout will be dedicated by plat as a 20ft Public Greenway Easement.

Section 13: Public Facilities

The proposed PUD shall meet all Public Facilities requirements as set forth in UDO Section 2.3.4(F)(1)(f) and be designed according to sound engineering standards and shall comply with Town of Apex Sewer and Water Master Plan and the Town of Apex Standards and Specifications. Specifically, road and utility infrastructure shall be as follows:

- **Transportation Improvements**

The road network will promote connectivity wherever possible to adjacent neighborhoods and undeveloped property. Further, cul-de-sacs will be avoided except where environmental features make through streets unfeasible. Sidewalks will be provided on both sides of streets internal to the site as required by the UDO.

Refer to sheet C100 of the PUD plan for proposed access points, stub street extensions, and planned vehicular connectivity. All access and circulation are conceptual and will be finalized at the time of Master Subdivision Plan review and approval.

Lawrence Property PUD

All proposed driveway access and improvements on state-maintained roadways are subject to NCDOT review and approval. Roadway improvements are subject to modification and final approval by the Town of Apex and NCDOT as part of the Master Subdivision Plan and Construction Document approval process. A Traffic Impact Analysis (TIA) has not been performed as part of this PUD rezoning.

Developer shall dedicate right-of-way and construct minimum improvements along the Olive Chapel Road property frontage based on a Rural 2-lane Thoroughfare with 6-foot paved shoulders planned for future bike lanes on 110-foot right-of-way according to the Apex Transportation Plan, with 10-foot side path along the north side and 5-foot sidewalk along the south side of Olive Chapel Road.

Developer shall provide an eastbound left turn lane on Olive Chapel Road at the Major Collector Street with a minimum storage length of 100 feet plus 50-foot deceleration length and 100-foot taper and required transitions subject to Apex and NCDOT review and approval.

Development shall propose an intersection within 100 to 150 feet of the existing terminus of Adirondack Way where drivers will be required to turn and/or stop subject to review and approval by the Town of Apex.

The applicant shall work with the property owner of PIN 0712826330 to provide a minimum 20-foot wide gravel road connection from the Major Collector stub street to the existing Lawson Lane, prior to construction plan approval. This connection will be made once construction of the Major Collector is complete. At no time prior to reconnection will access to Lawson Lane be completely cut off to a public road.

Transportation Plan Amendment

The applicant has requested a Transportation Plan Amendment regarding the location of the major collector street shown on the Town's Comprehensive Transportation Plan. This request includes a shift of the major collector street to the west as the historic structures located on the property will be relocated to the area south of Olive Chapel Road.

Compliance with Comprehensive Transportation Plan and Bicycle Plan

Development plans submitted pursuant to this rezoning shall comply with the adopted Comprehensive Transportation Plan in effect at the time of the development plan submittal, as provided for in the Unified Development Ordinance. Further, development of the property shall be consistent with the Town's adopted Bicycle and Pedestrian Plan in effect at the time of the development plan submittal.

- **Water and Sanitary Sewer**

All development within the project shall be served by the Town of Apex water and sanitary sewer facilities. The utility design will be finalized at the time of development plan review and approval upon available facilities adjacent to the site at that time. A

conceptual utility plan is included in the PUD plan for reference. All utility infrastructure shall meet current Town water and sewer master plans.

- **Other Utilities**

Electricity will be provided by Apex Electric. Phone, cable, and gas will be provided by the developer and shall meet the Town of Apex standards as outlined in the UDO.

Section 14: Phasing Plan

This PUD and all improvements required to support the uses contemplated by the PUD, including without limitation infrastructure and public facilities, may be completed in multiple phases, with construction anticipated to begin in 2026. Project phasing will be planned to ensure the points of access, RCA, stormwater controls and other design standards are met in accordance with the UDO. A final phasing plan will be incorporated within the Master Subdivision Plans (MSP) for review and approval through the Technical Review Committee.

Section 15: Environmental Zoning Conditions

1. The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.
2. The project shall install at least one (1) pet waste station per 25 residential units throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or sidepaths. If there are fewer than 25 homes, a least one (1) pet waste station shall be installed.
3. The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type or 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.
4. The project shall provide 40% RCA (14.35 acres). Where the project abuts adjacent developments, special effort shall be taken to locate 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.
5. 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 for each large tree removed or 1 small tree for each small tree removed. 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 with the submittal of the Master Subdivision Plan.
6. To improve energy efficiency, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.
7. To improve energy efficiency, the project shall plant evergreen trees on the

- northern side of all buildings to act as a windbreak.
8. In order to support wildlife and pollinators, HOA covenants shall not require that fallen leaves dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.
 9. Preserve and protect existing species, existing ponds shall be preserved if structurally sound.
 10. No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.
 11. To reduce irrigation requirements, the project shall select and plant only warm season grasses.
 12. 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.
 13. The project shall be designed to meet the requirements for one of the green building certifications, such as LEED, Energy Star, BREEAM, Green Globes, NGBS Green, or GreenGuard. 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.
 14. The project shall ensure that 60% 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.
 15. 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 80% of the species selected shall be native or a native of North Carolina.
 16. The project shall plant at least 1 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.
 17. The development shall increase perimeter and street front buffers as noted in the buffer table on page 4.
 18. All homes shall be pre-configured with conduit for a solar energy system.
 19. 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.

Section 16: Affordable Housing

- The Development shall include a minimum of three (3) 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.

Section 17: Compliance with the UDO

The development standards adopted for this PUD are in compliance with those set forth in the current version of the Town's Unified Development Ordinance (UDO). Any deviations from UDO requirements have been specifically defined within this document. No deviations from the UDO are currently anticipated with the project zoning documents.

Section 18: Consistency with the 2045 Land Use Map

While the development proposes greater density than recommended by the Rural Residential Land Use Map Designation, it is generally consistent with the Town of Apex's 2045 Land Use Map and the goals of the Peak Plan 2030. The Rural Residential designation recommends "single family residential uses that provide "a transition from the Protected Open Spaces around Jordan Lake..." The proposed development is ideal for single family residential and is consistent with the character of the surrounding land uses. The proposed density of 1.6 units per acre is consistent with the proposed Low Density Residential, as defined in the Comp. Plan. The proposed development and conditions of the PUD will provide low density single family housing that respects adjacent Protected Open Space to the south, preserves/relocates historic structures on the property, and provides pedestrian and vehicular connections. In all, the proposed development is consistent with the goals of the 2045 Land Use Map and Peak Plan 2030 by amending the northern area of the property to Low Density Residential and the southern area of the property to Rural Transitional Residential. These designations will preserve historic resources, protect environmental and natural resources, provide a variety of housing types available to a range of incomes and maintains low density residential uses as a transition to rural areas and protected open space areas.

\\bgeinc\data\NCA\Projects\Baker Residential\12746-00 - Lawrence Property\03 - DWG\PlanSheets\On-Site\Planned Development Plan\CO-0 - COVER.dwg Layout: CO-0 Plotted: 4/25/2025 12:53:33 PM

PLANNED DEVELOPMENT PLAN FOR PUD-CZ LAWRENCE PROPERTY

OLIVE CHAPEL ROAD APEX, NORTH CAROLINA

FIRST SUBMITTAL: AUGUST 1, 2024
SECOND SUBMITTAL: DECEMBER 2, 2024
THIRD SUBMITTAL: JANUARY 3, 2025
FOURTH SUBMITTAL: FEBRUARY 7, 2025
FIFTH SUBMITTAL: MARCH 7, 2025
SIXTH SUBMITTAL: APRIL 4, 2025
SEVENTH SUBMITTAL: APRIL 23, 2025

SITE DATA TABLE		
DEVELOPER	BAKER RESIDENTIAL OF THE CAROLINAS, LLC. 7001 WESTON PARKWAY, SUITE 150 CARY, NORTH CAROLINA 27513	
PARCELS	0712810293	
SITE AREA	GROSS	36.84 ACRES
	R/W DEDICATION	0.95 ACRES
	NET	35.89 ACRES
EXISTING ZONING	R-80W (WAKE COUNTY)	
PROPOSED ZONING	PUD-CZ	
RIVER BASIN	CAPE FEAR	
WATERSHED OVERLAY	JORDAN LAKE	
HISTORIC STRUCTURES	STRUCTURE UNDER INVESTIGATION	
MAX BUILT UPON AREA (IMPERVIOUS)	8.97 ACRES (25%)	
2045 LAND USE MAP (LUM) DESIGNATION	RURAL DENSITY RESIDENTIAL	
AREA DESIGNATED AS MIXED-USE ON 2045 LUM	NONE	
AREA OF MIXED-USE PROPOSED AS NON-RESIDENTIAL	NONE	
PROPOSED USE	SINGLE-FAMILY RESIDENTIAL	
MAXIMUM DENSITY	57 LOTS / 1.58 UNITS PER ACRE (INCLUDES 2 POSSIBLE NEW LOTS ON THE SOUTH SIDE OF OLIVE CHAPEL ROAD TO CONTAIN EXISTING AND/OR RELOCATED HOUSE)	
BUFFER CALL IDENTIFICATION NUMBER	APEX 23-006	
EXISTING SF OF BUILDINGS	10,869 SF	
MINIMUM LOT SIZE	7,500 SF	
PROPOSED BLDG HEIGHT	35 FEET (TWO (2) STORIES)	
REQUIRED PARKING SPACES	2 SPACES PER DWELLING UNIT	
REQUIRED RESOURCE CONSERVATION AREA	NONE (DENSITY LESS THAN 2 DWELLING UNITS PER ACRE)	
PROVIDED RESOURCE CONSERVATION AREA	14.35 ACRES (40%)	
SETBACKS	FRONT	20 FEET
	SIDE	5 FEET
	CORNER	10 FEET
	REAR	20 FEET

OWNERS
PIN: 0712810293 JAMES L. LAWRENCE AND KATHERINE L. CHALK 1502 CHIP SHOT DRIVE MOREHEAD CITY, NC 28557-4918



VICINITY MAP
SCALE: 1" = 1000'

SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
CO-0	COVER SHEET
C1-0	EXISTING CONDITIONS
C1-1	PRELIMINARY LAYOUT/ UTILITY PLAN
C1-2	CONCEPTUAL BUILDING ELEVATIONS

REZONING CONDITIONS

ARCHITECTURAL CONDITIONS:

- VINYL SIDING IS NOT PERMITTED; HOWEVER, VINYL WINDOWS, DECORATIVE ELEMENTS, AND TRIM ARE PERMITTED.
- REAR AND SIDE ELEVATIONS OF UNITS THAT HAVE RIGHT-OF-WAY FRONTAGE SHALL HAVE TRIM AROUND THE WINDOWS.
- EAVES SHALL PROJECT AT LEAST 12-INCHES FROM THE WALL OF THE STRUCTURE.
- A MINIMUM OF THREE (3) OF THE FOLLOWING FEATURES SHALL BE USED ON EACH BUILDING:
 - DECORATIVE SHAKE
 - BOARD AND BATTEN
 - DECORATIVE PORCH RAILING/POSTS
 - SHUTTERS
 - DECORATIVE/FUNCTIONAL AIR VENTS ON ROOF OR FOUNDATION
 - RECESSED WINDOWS
 - DECORATIVE WINDOWS
 - DECORATIVE BRICK/STONE
 - GABLES
 - DECORATIVE CORNICES
 - TIN/METAL ROOF
- THE VISIBLE SIDE OF THE HOME ON A CORNER LOT FACING THE PUBLIC STREET SHALL CONTAIN AT LEAST THREE (3) DECORATIVE ELEMENTS SUCH AS, BUT NOT LIMITED TO, THE FOLLOWING ELEMENTS:

WINDOWS	DECORATIVE SHAKE
BAY WINDOW	DECORATIVE AIR VENTS ON GABLE
RECESSED WINDOW	DECORATIVE GABLE
DECORATIVE WINDOW	DECORATIVE CORNICE
TRIM AROUND THE WINDOWS	COLUMN
WRAP AROUND PORCH OR SIDE PORCH	PORTICO
TWO OR MORE BUILDING MATERIALS	BALCONY
DECORATIVE BRICK/STONE	DORMER
DECORATIVE TRIM	
- GARAGE DOORS SHALL INCLUDE WINDOWS, DECORATIVE DETAILS, OR CARRIAGE-STYLE ADORNMENTS ON THEM.
- WINDOWS THAT ARE NOT RECESSED MUST BE TRIMMED.
- IF EXISTING HOUSE LOCATED NORTH OF OLIVE CHAPEL ROAD IS DETERMINED TO BE HISTORICALLY SIGNIFICANT BY CAPITAL AREA PRESERVATION INC., IT WILL BE RELOCATED TO THE SOUTH SIDE OF OLIVE CHAPEL ROAD. SEE SHEET C-1.1 FOR LOCATION.
- STREET FACING GARAGES THAT PROTRUDE MORE THAN 1 FOOT OUT FROM THE FRONT FAÇADE AND FRONT PORCH WILL HAVE A TRELLIS ABOVE THE GARAGE DOOR OR DOORS. STREET FACING GARAGES SHALL NOT PROTRUDE MORE THAN 5 FEET OUT FROM THE FRONT FAÇADE OR FRONT PORCH. LIVING SPACE ABOVE A GARAGE SHALL NOT BE CONSIDERED PART OF THE FRONT FAÇADE.
- A VARIED COLOR PALETTE SHALL BE UTILIZED ON HOMES THROUGHOUT THE SUBDIVISION TO INCLUDE A MINIMUM OF THREE (3) COLOR FAMILIES FOR SIDING AND SHALL INCLUDE VARIED TRIM, SHUTTER, AND ACCENT COLORS COMPLEMENTING THE SIDING COLOR.
- HOUSE ENTRANCES SHALL HAVE A COVERED PORCH AREA LEADING TO THE FRONT DOOR.
- FRONT PORCHES SHALL BE A MINIMUM OF 5 FEET DEEP.
- GARAGE DOORS ON THE FRONT FAÇADE OF HOMES THAT FACE THE STREET SHALL NOT EXCEED 50% OF THE TOTAL WIDTH OF THE HOUSE AND GARAGE TOGETHER.
- NO MORE THAN 25% OF LOTS MAY BE ACCESSED WITH J-DRIVEWAYS. THERE SHALL BE NO MORE THAN 3 SUCH HOMES IN A ROW ON ANY SINGLE BLOCK. ANY LOTS ELIGIBLE FOR A J-DRIVEWAY HOME SHALL BE IDENTIFIED ON THE FINAL PLAT.

TRANSPORTATION CONDITIONS:

- DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT MINIMUM IMPROVEMENTS ALONG THE OLIVE CHAPEL ROAD PROPERTY FRONTAGE BASED ON A RURAL 24-LANE THOROUGHFARE WITH 6-FOOT PAVED SHOULDERS PLANNED FOR FUTURE BIKE LANES ON 110-FOOT RIGHT-OF-WAY ACCORDING TO THE APEX TRANSPORTATION PLAN, WITH 10-FOOT SIDE PATH ALONG THE NORTH SIDE AND 5-FOOT SIDEWALK ALONG THE SOUTH SIDE OF OLIVE CHAPEL ROAD.
- DEVELOPER SHALL PROVIDE AN EASTBOUND LEFT TURN LANE ON OLIVE CHAPEL ROAD AT THE MAJOR COLLECTOR STREET WITH A MINIMUM STORAGE LENGTH OF 100 FEET PLUS A 50-FOOT DECELERATION LENGTH AND 100-FOOT TAPER AND REQUIRED TRANSITIONS SUBJECT TO APEX AND NCDOT REVIEW AND APPROVAL.
- DEVELOPMENT SHALL PROPOSE AN INTERSECTION WITHIN 100 FEET OF THE EXISTING TERMINUS OF ADIRONDACK WAY WHERE DRIVERS WILL BE REQUIRED TO TURN AND/OR STOP SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF APEX.

ENVIRONMENTAL CONDITIONS:

- THE PROJECT SHALL INSTALL ONE (1) SIGN PER SCM TO REDUCE PET WASTE AND PROHIBIT FERTILIZER TO REDUCE PET WASTE AND PROHIBIT FERTILIZER, IN LOCATIONS THAT ARE PUBLICLY ACCESSIBLE, SUCH AS ADJACENT TO AMENITY CENTERS, SIDEWALKS, GREENWAYS, OR SIDE PATHS.
- THE PROJECT SHALL UTILIZE PERVIOUS PAVEMENT WHEN CONSTRUCTING THE DRIVEWAYS FOR RESIDENTIAL UNITS. THE SPECIFIC TYPE OR 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 OWNERS ASSOCIATION.
- THE PROJECT SHALL PROVIDE 40% RCA (14.35 ACRES), WHERE THE PROJECT ABUTS ADJACENT DEVELOPMENTS, SPECIAL EFFORT SHALL BE TAKEN TO LOCATE 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.
- THE PROJECT SHALL REPLACE ANY LARGE TYPE TREES, THAT MEASURE 18-INCHES IN CALIPER SIZE OR LARGER, AND SMALL TYPE TREES, THAT MEASURE 6-INCHES IN CALIPER SIZE OR LARGER, THAT ARE REMOVED AS A PART OF THE DEVELOPMENT. THE RATIO OF REPLACEMENT SHALL BE 1 LARGE TREE FOR EACH LARGE TREE REMOVED OR 1 SMALL TREE FOR EACH SMALL TREE REMOVED. 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 WITH THE SUBMITTAL OF THE MASTER SUBDIVISION PLAN.
- TO IMPROVE ENERGY EFFICIENCY, A COMBINATION OF LARGE AND SMALL DECIDUOUS SHADE TREES SHALL BE PLANTED ON THE SOUTHERN SIDE OF ANY BUILDINGS.
- TO IMPROVE ENERGY EFFICIENCY, THE PROJECT SHALL PLANT EVERGREEN TREES ON THE NORTHERN SIDE OF ALL BUILDINGS TO ACT AS A WINDBREAK.
- IN ORDER TO SUPPORT WILDLIFE AND POLLINATORS, HOA COVENANTS SHALL NOT REQUIRE THAT FALLEN LEAVES DORMANT PLANTS BE REMOVED DURING THE WINTER ON AREAS WITHOUT TURF GRASS, INCLUDING INDIVIDUAL HOMES AND HOA OWNED COMMON AREAS.
- PRESERVE AND PROTECT EXISTING SPECIES, EXISTING PONDS SHALL BE PRESERVED IF STRUCTURALLY SOUND.
- NO SINGLE SPECIES OF NATIVE OR ADAPTIVE VEGETATION SHALL CONSTITUTE MORE THAN 20% OF THE PLAT MATERIAL OF ITS TYPE WITHIN A SINGLE DEVELOPMENT SITE.
- TO REDUCE IRRIGATION REQUIREMENTS, THE PROJECT SHALL SELECT AND PLANT ONLY WARM SEASON GRASSES.
- 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.

- THE PROJECT SHALL BE DESIGNED TO MEET THE REQUIREMENTS FOR ONE OF THE GREEN BUILDING CERTIFICATIONS, SUCH AS LEED, ENERGY STAR, BREEAM, GREEN GLOBES, NGBS GREEN, OR GREENGUARD. 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.
- THE PROJECT SHALL ENSURE THAT 60% 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.
- 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 80% OF THE SPECIES SELECTED SHALL BE NATIVE OR A NATIVE OF NORTH CAROLINA.
- THE PROJECT SHALL PLANT AT LEAST 1 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.
- THE DEVELOPMENT SHALL INCREASE PERIMETER AND STREET FRONT BUFFERS AS NOTED IN THE BUFFER TABLE ON PAGE 4.
- ALL HOMES SHALL BE PRE-CONFIGURED WITH CONDUIT FOR A SOLAR ENERGY SYSTEM.
- 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.
- THE PROJECT SHALL INSTALL AT LEAST ONE (1) PET WASTE STATION PER 25 RESIDENTIAL UNITS THROUGHOUT THE COMMUNITY IN LOCATIONS THAT ARE PUBLICLY ACCESSIBLE, SUCH AS ADJACENT TO AMENITY CENTERS, SCMS, SIDEWALKS, GREENWAYS, OR SIDEPATHS, IF THERE ARE FEWER THAN 25 HOMES, AT LEAST ONE (1) PET WASTE STATION SHALL BE INSTALLED.

AFFORDABLE HOUSING CONDITIONS:

- THE DEVELOPMENT SHALL INCLUDE A MINIMUM OF THREE (3) 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, HOMEOWNERS INSURANCE, HOMEOWNERS 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.



5438 WADE PARK BLVD,
SUITE 420
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397

©2025

CONTACT:

RYAN FISHER
RFISHER@BGE.NC.COM
(984) 212-8825

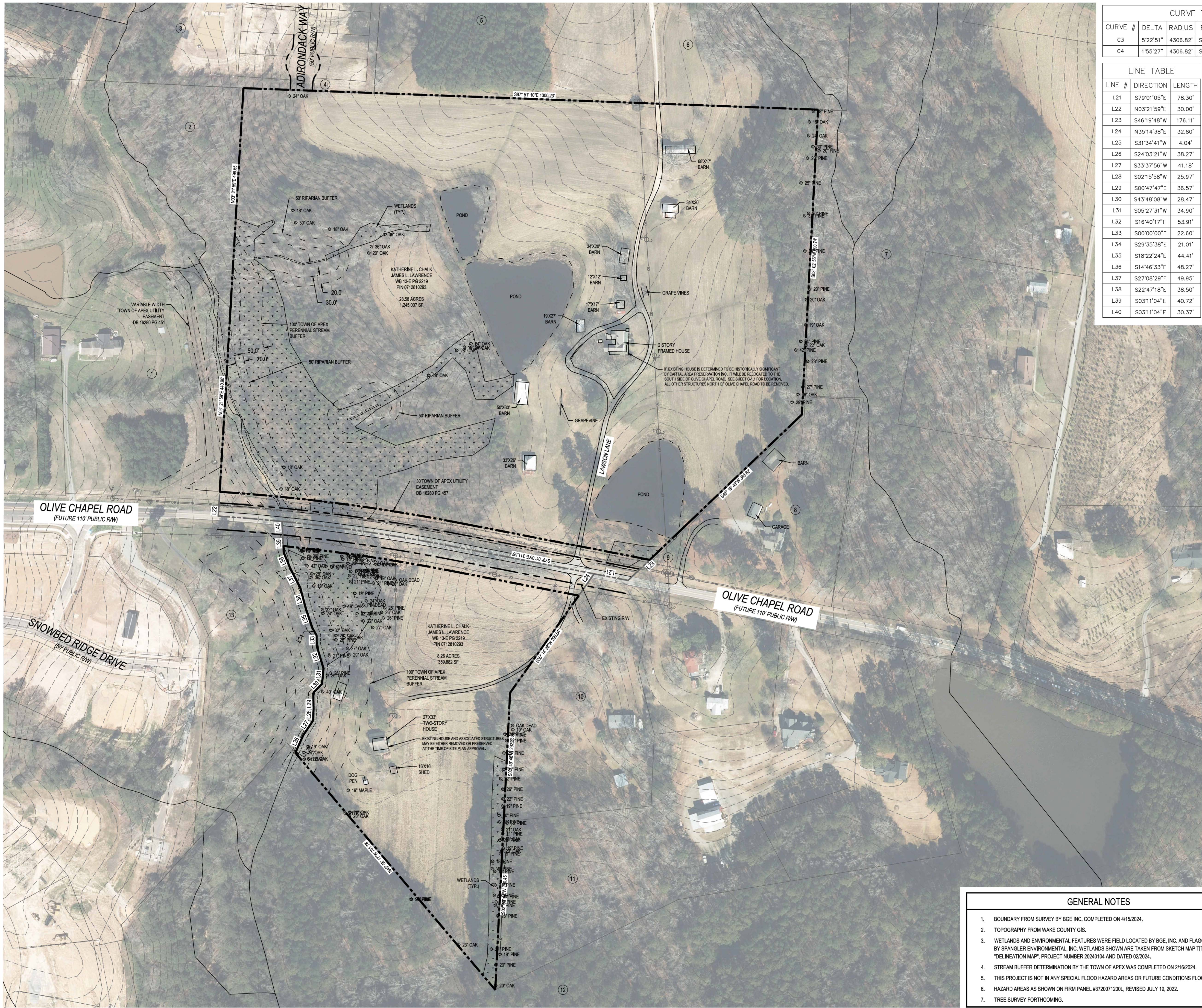
DEVELOPER:

BAKER RESIDENTIAL OF THE
CAROLINAS, LLC.
7001 WESTON PARKWAY,
SUITE 150
CARY, NC 27513
PHONE: (919) 398-3371



PUD-CZ DRAWINGS
FOR:
**LAWRENCE
PROPERTY**
3228 OLIVE
CHAPEL ROAD
APEX, NC 27502-6785

FILE NUMBER:
12746-00



CURVE TABLE					
CURVE #	DELTA	RADIUS	BEARING	CHORD	LENGTH
C3	5°22'51"	4306.82'	S81°34'49"E	404.31'	404.46'
C4	1°55'27"	4306.82'	S85°13'58"E	144.63'	144.63'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L21	S79°01'05"E	78.30'
L22	N03°21'59"E	30.00'
L23	S46°19'48"W	176.11'
L24	N35°14'38"E	32.80'
L25	S31°34'41"W	4.04'
L26	S24°03'21"W	38.27'
L27	S33°37'56"W	41.18'
L28	S02°15'58"W	25.97'
L29	S00°47'47"E	36.57'
L30	S43°48'08"W	28.47'
L31	S05°27'31"W	34.90'
L32	S16°40'17"E	53.91'
L33	S00°00'00"E	22.60'
L34	S29°35'38"E	21.01'
L35	S18°22'24"E	44.41'
L36	S14°46'33"E	48.27'
L37	S27°08'29"E	49.95'
L38	S22°47'18"E	38.50'
L39	S03°11'04"E	40.72'
L40	S03°11'04"E	30.37'

- ADJACENT PROPERTY OWNER INFORMATION:**
- PIN: 0712713207
DB: 019208 PG. 00371
JAMES WARREN HARDY AND TERESA GOODWIN (TRUSTEE)
3312 OLIVE CHAPEL ROAD
APEX, NC 27502-8517
PIN: 0712816775
 - DB: 017529 PG. 02614
SANDRA OAK AND ALFRED KENT GOODWIN (TRUSTEE)
274 MAY FARM ROAD
PITTSBORO, NC 27312-5738
PIN: 0712829311
 - DB: 019496 PG. 00425
RETREAT AT CEDAR CROSSING COMMUNITY ASSOCIATION
4700 HOMEWOOD COURT, SUITE 380
RALEIGH, NC 27609-5732
PIN: 0712717864
 - DB: 019241 PG. 02442
RETREAT AT CEDAR CROSSING COMMUNITY ASSOCIATION
4700 HOMEWOOD COURT, SUITE 380
RALEIGH, NC 27609-5732
PIN: 0712821328
 - DB: 019493 PG. 01288
CLARA'S LEGACY, LLC.
1805 LAWSON LANE
APEX, NC 27502-9325
PIN: 0712826330
 - DB: 018483 PG. 01288
CLARA'S LEGACY, LLC.
1805 LAWSON LANE
APEX, NC 27502-9325
PIN: 0712823071
 - DB: 002741 PG. 00474
MARTHA S. CLEMENT
3200 OLIVE CHAPEL ROAD
APEX, NC 27502-6785
0712807938
 - DB: 08-E PG. 726
MARTHA S. CLEMENT
3200 OLIVE CHAPEL ROAD
APEX, NC 27502-6785
PIN: 0712804988
 - DB: 002741 PG. 00474
MARTHA S. CLEMENT
3200 OLIVE CHAPEL ROAD
APEX, NC 27502-6785
PIN: 0712802593
 - DB: 008401 PG. 01099
BENNETT C. FOWLER
3205 OLIVE CHAPEL ROAD
APEX, NC 27502-6785
PIN: 0712805207
 - DB: 015124 PG. 01623
BRIAN D AND ROBIN T HOLLAND
3133 OLIVE CHAPEL ROAD
APEX, NC 27502-5710
PIN: 0711668680
 - DB: 001932 PG. 00120
UNITED STATES OF AMERICA
310 NEW BERN AVENUE
RALEIGH, NC 27601-1441
PIN: 0712705757
 - DB: 019630 PG. 00168
HOPE MILLS HOMES, LLC.
2101 DELLA COURT
APEX, NC 27502-6970

- GENERAL NOTES**
- BOUNDARY FROM SURVEY BY BGE INC. COMPLETED ON 4/15/2024.
 - TOPOGRAPHY FROM WAKE COUNTY GIS.
 - WETLANDS AND ENVIRONMENTAL FEATURES WERE FIELD LOCATED BY BGE, INC. AND FLAGGED BY SPANGLER ENVIRONMENTAL, INC. WETLANDS SHOWN ARE TAKEN FROM SKETCH MAP TITLED "DELINEATION MAP", PROJECT NUMBER 20240104 AND DATED 02/2024.
 - STREAM BUFFER DETERMINATION BY THE TOWN OF APEX WAS COMPLETED ON 2/16/2024.
 - THIS PROJECT IS NOT IN ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD
 - HAZARD AREAS AS SHOWN ON FIRM PANEL #3720071200L, REVISED JULY 19, 2022.
 - TREE SURVEY FORTHCOMING.



RESPONSE TO COMMENTS

04-23-2025

RESPONSE TO COMMENTS

04-04-2025

RESPONSE TO COMMENTS

03-07-2025

RESPONSE TO COMMENTS

02-07-2025

RESPONSE TO COMMENTS

01-03-2025

DATE

DESCRIPTION

DESIGNED BY:

CM

DRAWN BY:

CM

REVIEWED BY:

RF



5438 WADE PARK BLVD, SUITE 420
RALEIGH, NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397

BAKER RESIDENTIAL OF
THE CAROLINAS, LLC.

7001 WESTON PARKWAY, SUITE 150
CARY, NC 27513

LAWRENCE
PROPERTY

APEX, NORTH CAROLINA 27502-6785

EXISTING CONDITIONS



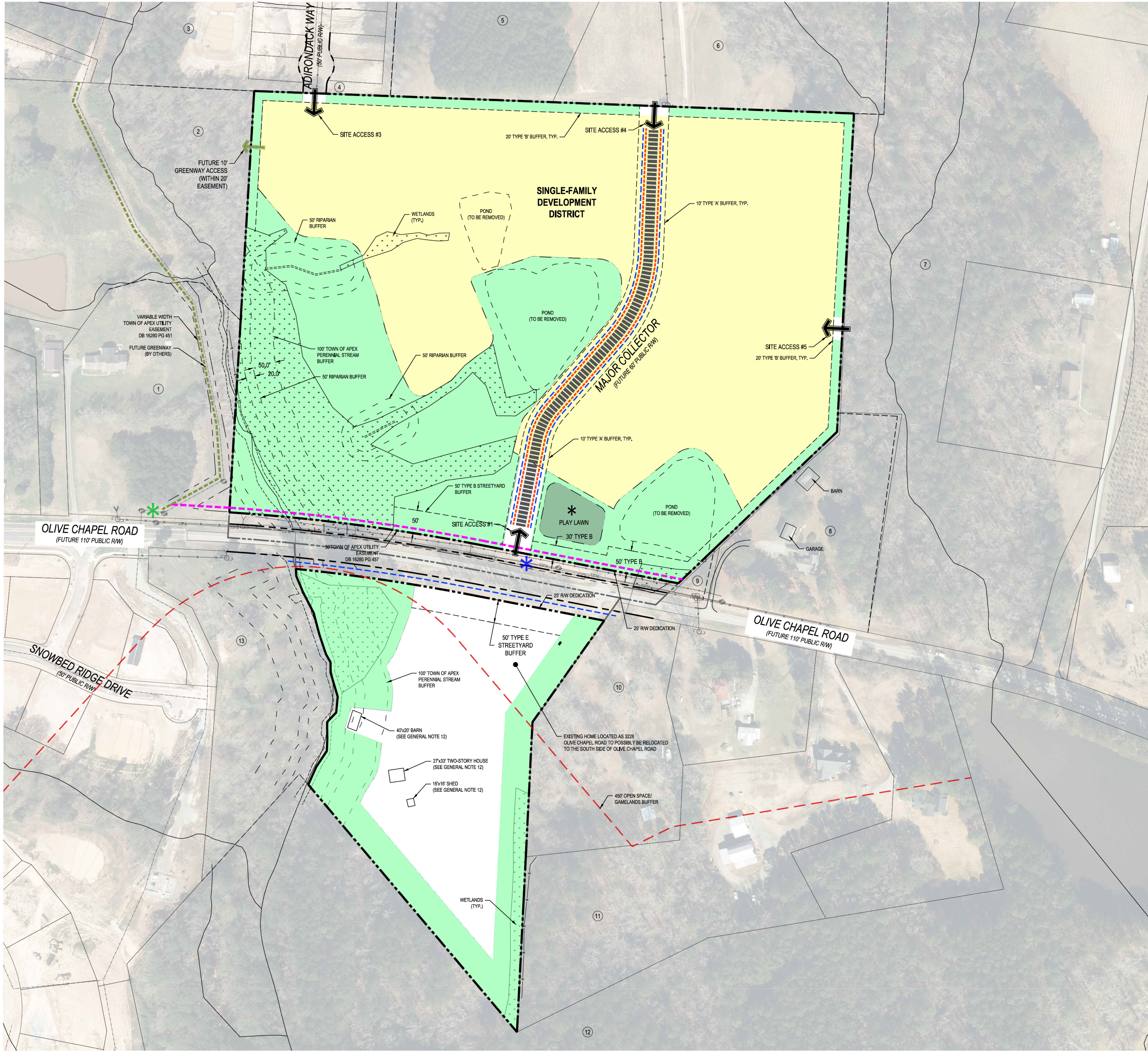
FILE NUMBER:

12746-00

DATE: 08/01/2024

C1-0

\\geoinc\data\NCA\Projects\Baker Residential\12746-00 - Lawrence Property\03 - DWG\PlanSheets\On-Site\Planned Development Plan\C1-1 - PRELIM LAYOUT PLAN.dwg Layout: C1-1 Plotted: 4/23/2025 9:50:20 AM



LEGEND

PROPERTY LINE

450' OPEN SPACE/
GAMELANDS BUFFER

WETLAND AREA

SINGLE-FAMILY
DEVELOPMENT BLOCK

RESOURCE CONSERVATION
AREA (MINIMUM 20% OF TOTAL
SITE AREA)

ACTIVE RECREATION AREA

VEHICULAR ACCESS

CONCEPTUAL 4' BIKE LANE

CONCEPTUAL 5' SIDEWALK

FUTURE 10' GREENWAY

CONCEPTUAL 10' SIDEPATH

CONCEPTUAL WATER
CONNECTION

CONCEPTUAL SANITARY
SEWER CONNECTION

PRELIMINARY LAYOUT NOTES

GENERAL NOTES:

1.

ALL ZONING PLAN SHEETS ARE INTENDED FOR ILLUSTRATIVE PURPOSES ONLY. FINAL DESIGN COMPONENTS SHALL BE DETERMINED DURING THE MINOR SITE PLAN APPROVAL PROCESS.

3.

REFER TO THE PUD TEXT DOCUMENTS FOR ALLOWABLE USES, ZONING CONDITIONS AND OTHER DESIGN STANDARDS.

4.

ALL VEHICULAR ACCESS LOCATIONS AND PEDESTRIAN CIRCULATION ARE CONCEPTUAL AND SHALL BE FINALIZED DURING THE MINOR SITE PLAN APPROVAL PROCESS.

5.

TREE PROTECTION FENCING SHALL BE PLACED IN ACCORDANCE WITH THE TOWN OF APEX'S UNIFIED DEVELOPMENT ORDINANCE.

6.

ALL PARKING STANDARDS SHALL COMPLY WITH THE TOWN OF APEX'S UNIFIED DEVELOPMENT ORDINANCE.

7.

EXACT LOCATION OF OPEN SPACE AND RESOURCE CONSERVATION AREA TO BE FINALIZED DURING THE MASTER SUBDIVISION PLAN APPROVAL PROCESS.

8.

NO SIGNS ARE APPROVED AS PART OF THE PUD-CZ APPROVAL PROCESS. A SEPARATE SIGN PERMIT MUST BE OBTAINED IN ACCORDANCE WITH THE TOWN OF APEX'S UNIFIED DEVELOPMENT ORDINANCE.

9.

SITE ELEMENTS REQUIRED TO SATISFY RECREATIONAL REQUIREMENTS MUST MEET ANY APPLICABLE STANDARDS FOUND IN THE TOWN OF APEX STANDARD SPECIFICATIONS AND CONSTRUCTION DETAILS AND THE REQUIREMENTS OF THE TOWN OF APEX PARKS AND RECREATION DEPARTMENT.

10.

SITE ITEMS SUCH AS BUT NOT LIMITED TO, LIGHTING, LANDSCAPING, SCREENING, SITE STABILIZATION (SEEDING), PARKING, AND PAVEMENT MARKING, MUST BE COMPLETED PRIOR TO SCHEDULING A MINAL SITE INSPECTION.

11.

LAND SOUTH OF OLIVE CHAPEL ROAD WILL BE SUBDIVIDED AS REQUIRED TO CONTAIN THE EXISTING HOUSE AND ASSOCIATED OUTBUILDINGS AS WELL AS THE RELOCATED HOUSE.

12.

EXISTING STRUCTURES WITHIN THE PROPOSED 450 FOOT OPEN SPACE/GAMELANDS BUFFER MAY REMAIN IN PLACE OR BE REMOVED AT A LATER DATE IN ACCORDANCE WITH THE APPROPRIATE PERMITS FROM THE TOWN OF APEX AND ANY OTHER APPLICABLE AGENCIES.

13.

ANY DISTURBED PORTIONS OF THE 50' AVERAGE STREETYARD BUFFER SHALL BE PLANTED TO A TYPE 'A' STANDARD, WHILE UNDISTURBED PORTIONS SHALL BE SUPPLEMENTED TO A TYPE 'B' STANDARD.

14.

PERIMETER BUFFERS MAY CONTAIN PUBLIC UTILITY EASEMENTS SO LONG THE PLANTING REQUIREMENTS ARE STILL MET FOR THE LENGTH OF EACH BUFFER. PUBLIC UTILITY EASEMENT LOCATIONS WILL BE DETERMINED DURING THE SITE PLAN APPROVAL PROCESS.

15.

SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF APEX TRANSPORTATION DEPARTMENT AT THE TIME OF SUBDIVISION, THE DEVELOPMENT SHALL PROPOSE AN INTERSECTION WITHIN 100 FEET OF THE EXISTING TERMINUS OF ADIRONDACK WAY WHERE DRIVERS WILL BE REQUIRED TO TURN AND/OR STOP.

UTILITY NOTES:

1.

THIS PROJECT IS REQUESTING FULL TOWN SERVICES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER AND ELECTRICITY.

2.

THE SITE WILL NOT UTILIZE PRIVATE SEWAGE DISPOSAL SYSTEMS.

3.

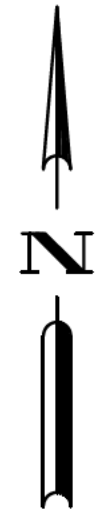
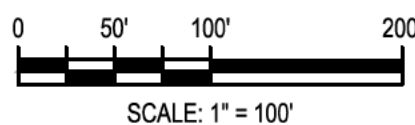
ALL UTILITY EASEMENTS SHALL BE PROVIDED AS NECESSARY. EXACT LOCATION SHALL BE DETERMINED AT THE TIME OF CONSTRUCTION DRAWINGS.

4.

ALL CONSTRUCTION SHALL COMPLY WITH THE TOWN OF APEX STANDARDS AND SPECIFICATIONS.

5.

ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS SHALL BE OWNED, OPERATED, AND MAINTAINED BY THE TOWN OF APEX.



RESPONSE TO COMMENTS

04-23-2025

RESPONSE TO COMMENTS

04-04-2025

RESPONSE TO COMMENTS

03-07-2025

RESPONSE TO COMMENTS

02-07-2025

RESPONSE TO COMMENTS

01-03-2025

REV

DATE

DESCRIPTION

DESIGNED BY:

CM

DRAWN BY:

CM

REVIEWED BY:

RF

BCE

5438 WADE PARK BLVD, SUITE 420
RALEIGH NC 27607
WWW.BCEINC.COM
NC LICENSE #C-4397

BAKER RESIDENTIAL OF
THE CAROLINAS, LLC.

7001 WESTON PARKWAY, SUITE 150
CARY, NC 27513

PRELIMINARY LAYOUT/
UTILITY PLAN

APEX, NORTH CAROLINA 27602-6785

FILE NUMBER:
12746-00

DATE: 08/01/2024

C1-1

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #24CZ16 Lawrence Property PUD

Planning Board Meeting Date: May 12, 2025



Report Requirements:

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

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

PROJECT DESCRIPTION:

Acreage: ± 41.02

PIN(s): 0712810293

Current Zoning: Wake County Residential-80W (R-80W)

Proposed Zoning: Planned Unit Development-Conditional Zoning (PUD-CZ)

Current 2045 Land Use Map: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Town Limits: Outside

Applicable Officially Adopted Plans:

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

☒ 2045 Land Use Map

☒ Consistent

☐ Inconsistent

Reason: _____

☒ Apex Transportation Plan

☒ Consistent

☐ Inconsistent

Reason: _____

☒ Parks, Recreation, Open Space, and Greenways Plan

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #24CZ16 Lawrence Property PUD

Planning Board Meeting Date: May 12, 2025



Legislative Considerations:

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

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #24CZ16 Lawrence Property PUD

Planning Board Meeting Date: May 12, 2025



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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

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

☒ Consistent

☐ Inconsistent

Reason: _____

PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: #24CZ16 Lawrence Property PUD

Planning Board Meeting Date: May 12, 2025



Planning Board Recommendation:

Motion: To recommend approval with additional condition presented by staff.

Introduced by Planning Board member: Tim Royal

Seconded by Planning Board member: Steven Rhodes

☐ *Approval:* the project is consistent with all applicable officially adopted plans and the applicable legislative considerations listed above.

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

The applicant shall work with the property owner of PIN 0712826330 to provide a minimum 20-foot wide gravel road connection from the Major Collector stub street to the existing Lawson Lane, prior to construction plan approval. This connection will be made once construction of the Major Collector is complete. At no time prior to reconnection will access to Lawson Lane be completely cut off to a public road.

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

With 7 Planning Board Member(s) voting "aye"

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

Reasons for dissenting votes:

Alyssa Byrd was recused. JK

This report reflects the recommendation of the Planning Board, this the 12th day of May 2025.

Attest:

Tina Sherman, Planning Board Chair

Dianne Khin

Digitally signed by Dianne Khin
Date: 2025.05.12 18:10:03
-04'00'

Dianne Khin, Planning Director



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ16 Lawrence Property PUD

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 Bowles c/o Baker Residential

Authorized Agent: Jason Barron, Morningstar Law Group

Property Address: 3228 Olive Chapel Road

Acreage: ± 41.02 acres

Property Identification Number (PIN): 0712810293

Current 2045 Land Use Map Designation: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Existing Zoning of Property: Wake County Residential-80W (R-80W)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

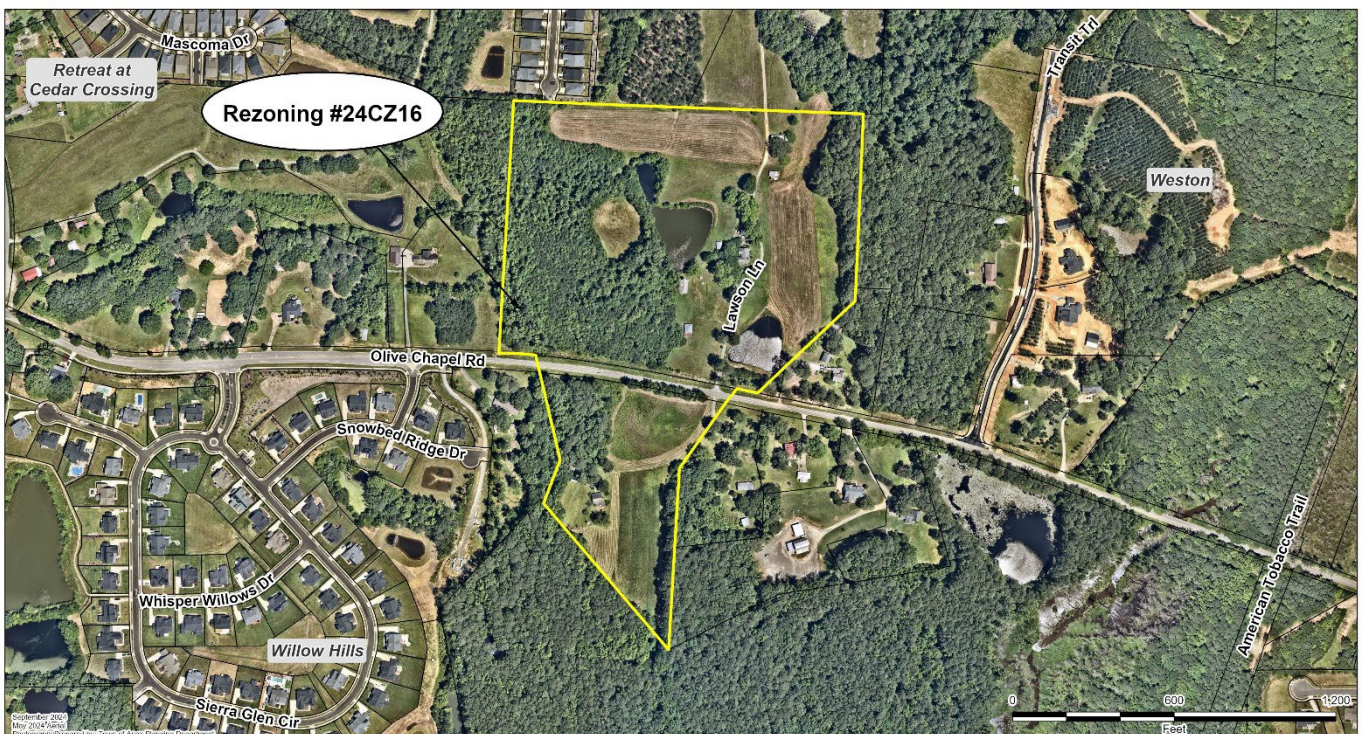
Planning Board Public Hearing Date and Time: May 12, 2025 4:30 PM

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, 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. 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/48277>.

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 #24CZ16

Lawrence Property PUD
(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 Bowles c/o Baker Residential

Agente autorizado: Jason Barron, Morningstar Law Group

Dirección de la propiedad: 3228 Olive Chapel Road

Superficie: ± 41.02 acres

Números de identificación de la propiedad: 0712810293

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

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Ordenamiento territorial existente de la propiedad: Wake County Residential-80W (R-80W)

Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

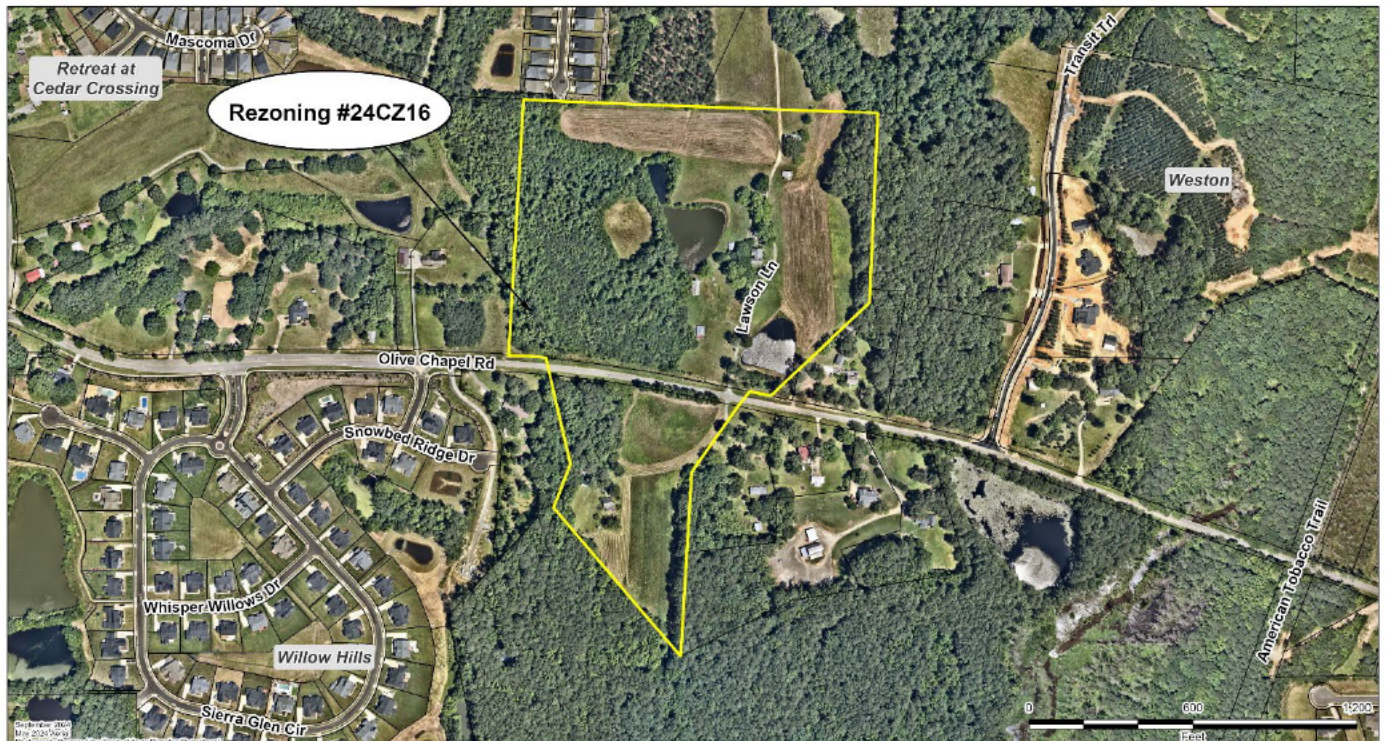
Fecha y hora de la audiencia pública de la Junta de Planificación: 12 de mayo de 2025 4:30 P.M.

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, 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. 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/48277>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 25 de abril - 12 de mayo 2025



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #24CZ16
Lawrence Property PUD

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 Bowles c/o Baker Residential
Authorized Agent: Jason Barron, Morningstar Law Group
Property Address: 3228 Olive Chapel Road
Acreage: ± 41.02 acres
Property Identification Number (PIN): 0712810293
Current 2045 Land Use Map Designation: Rural Density Residential
If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)
Existing Zoning of Property: Wake County Residential-80W (R-80W)
Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

Planning Board Public Hearing Date and Time: May 12, 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, 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/imag>. The 2045 Land Use Map may be viewed online at 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/48277>.

Dianne F. Khin, AICP
Planning Director

Published Dates: April 25 – May 12, 2025



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

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ16
Lawrence Property PUD
(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 Bowles c/o Baker Residential
Agente autorizado: Jason Barron, Morningstar Law Group
Dirección de la propiedad: 3228 Olive Chapel Road
Superficie: ± 41.02 acres
Números de identificación de la propiedad: 0712810293
Designación actual en el Mapa de Uso Territorial para 2045: Rural Density Residential
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)
Ordenamiento territorial existente de la propiedad: Wake County Residential-80W (R-80W)
Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-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: 12 de mayo 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, 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/428. 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/48277>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 25 de abril - 12 de mayo 2025

Retreat at
Cedar Crossing

Rezoning #24CZ16

Lawson Ln

Olive Chapel Rd

Transit Trl

Snowbed Ridge Dr

Willow Hills

Sierra Glen Cir

September 2024
May 2024 Aerial Photography
Prepared by: Town of Apex Planning Department

0 400 800
Feet

Public Hearing Sign Posted By

Signature

9/11/24
Date



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 #24CZ16 Lawrence Property PUD
Project Location: 3228 Olive Chapel Road
Applicant or Authorized Agent: Jason Barron
Firm: Morningstar Law Group
Planning Board
Public Hearing Date: May 12, 2025
Project Planner: June Cowles

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 April 25, 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.

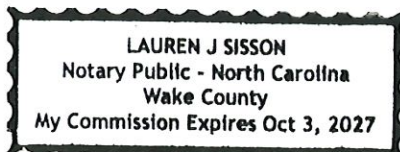
4/28/2025
Date

Shanne 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 28th day of April, 202 5.



[Signature]
Notary Public

My Commission Expires: 10 / 03 / 2027



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #24CZ16 Lawrence Property PUD

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 Bowles c/o Baker Residential

Authorized Agent: Jason Barron, Morningstar Law Group

Property Address: 3228 Olive Chapel Road

Acreage: ±41.02 acres

Property Identification Number (PIN): 0712810293

Current 2045 Land Use Map Designation: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Existing Zoning of Property: Wake County Residential-80W (R-80W)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor

73 Hunter Street, Apex, North Carolina

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

Town Council Public Hearing Date and Time: May 27, 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, 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 Town Council 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. You may call 919-249-3426, Planning Department, with questions or for further information. To view the petition and related documents on-line: <http://www.apexnc.org/DocumentCenter/View/48277>.

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 #24CZ16

Lawrence Property PUD (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 el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mark Bowles c/o Baker Residential

Agente autorizado: Jason Barron, Morningstar Law Group

Dirección de la propiedad: 3228 Olive Chapel Road

Superficie: ±41.02 acres

Números de identificación de la propiedad: 0712810293

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

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Ordenamiento territorial existente de la propiedad: Wake County Residential-80W (R-80W)

Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

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

Fecha y hora de la audiencia pública del Consejo Municipal: 27 de mayo 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 escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

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. 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/48277>.

Dianne F. Khin, AICP
Directora de Planificación

Legal Notice of Public Hearings

Microsoft Word - TC Lawrence

apexnc.org/DocumentCenter/View/50525/24CZ16-TC-Public-Notice-Combined?bidId=

Microsoft Word - TC Lawrence Property Notice

1 / 2 | 67%

Download

Print

More



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

Solicitante: Mark Bowles c/o Baker Residential
Agente autorizado: Jason Barron, Morningstar Law Group
Dirección de la propiedad: 3228 Olive Chapel Road
Superficie: ±41.02 acres
Números de identificación de la propiedad: 0712810293
Designación actual en el Mapa de Uso Territorial para 2045: Rural Density Residential
Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)
Ordenamiento territorial existente de la propiedad: Wake County Residential-80W (R-80W)
Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ)

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

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

Fecha y hora de la audiencia pública del Consejo Municipal: 27 de mayo 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 escrita por correo electrónico a public_hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

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/imapc>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://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/48277>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 2 de mayo – 27 de mayo 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 #24CZ16 Lawrence Property PUD
Project Location: 3228 Olive Chapel Road
Applicant or Authorized Agent: Jason Barron
Firm: Morningstar Law Group
Town Council
Public Hearing Date: May 27, 2025
Project Planner: June Cowles

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 2, 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.

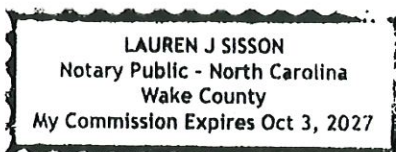
5/5/2025
Date

Maianne F. Klein
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 5th day of May, 2025.



[Signature]
Notary Public

My Commission Expires: 10 / 03 / 2027



TOWN OF APEX

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

CONTINUED

PUBLIC NOTIFICATION OF PUBLIC HEARINGS

CONDITIONAL ZONING #24CZ16
Lawrence Property PUD

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 Bowles c/o Baker Residential

Authorized Agent: Jason Barron, Morningstar Law Group

Property Address: 3228 Olive Chapel Road

Acreage: ±41.02 acres

Property Identification Number (PIN): 0712810293

Current 2045 Land Use Map Designation: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Existing Zoning of Property: Wake County Residential-80W (R-80W)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall
Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

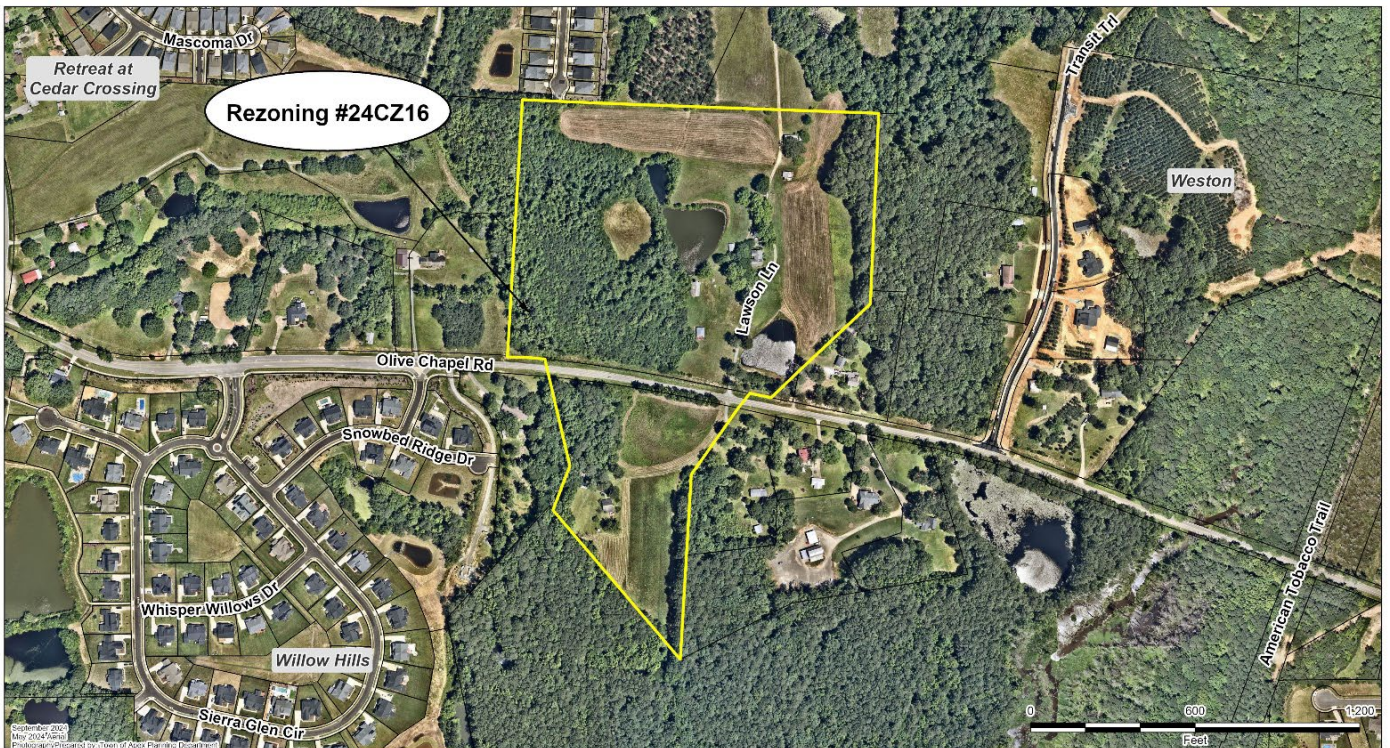
***Comments received prior to the Planning Board public hearing will not be provided to the Town Council.
Separate comments for the Town Council public hearing must be provided by the deadline specified below.***

Town Council Public Hearing Date and Time: ~~May 27, 2025~~ **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, 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 Town Council 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. 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/48277>.

Dianne F. Khin, AICP
Planning Director



TOWN OF APEX

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

CONTINUADO

NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

ORDENAMIENTO TERRITORIAL CONDICIONAL #24CZ16

Lawrence Property PUD (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 el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mark Bowles c/o Baker Residential

Agente autorizado: Jason Barron, Morningstar Law Group

Dirección de la propiedad: 3228 Olive Chapel Road

Superficie: ±41.02 acres

Números de identificación de la propiedad: 0712810293

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

Si se aprueba el cambio de zonificación como se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Ordenamiento territorial existente de la propiedad: Wake County Residential-80W (R-80W)

Ordenamiento territorial propuesto para la propiedad: Planned Unit Development-Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

73 Hunter Street, Apex, Carolina del Norte

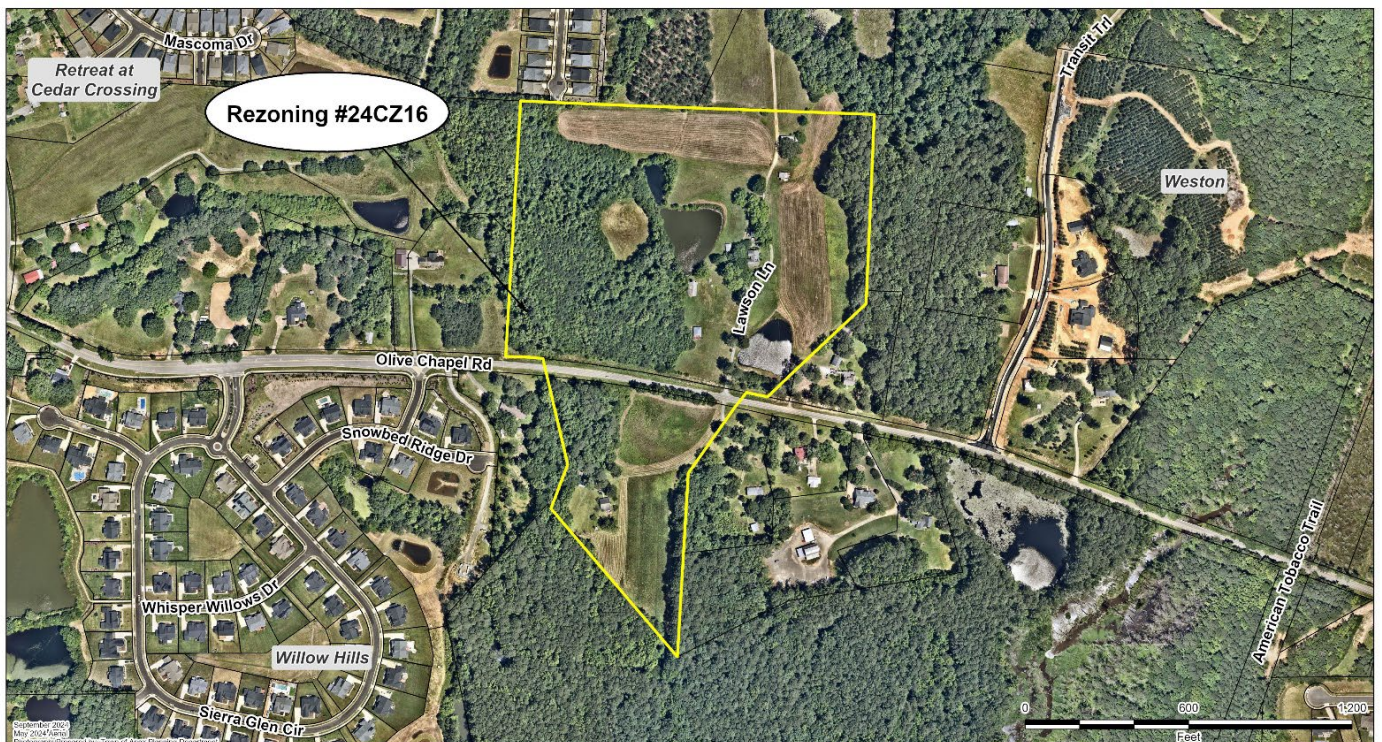
Los comentarios recibidos antes de la audiencia pública de la Junta de Planificación no se proporcionarán al Consejo Municipal. Los comentarios para la audiencia pública del Consejo Municipal deben presentarse por separado en el plazo especificado a continuación.

Fecha y hora de la audiencia pública del Consejo Municipal: ~~27 de mayo~~ **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 escrita por correo electrónico a public.hearing@apexnc.org, o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

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. 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/48277>.

Dianne F. Khin, AICP
Directora de Planificación

Fechas de publicación: 2 de mayo – ~~27 de mayo~~ **24 de junio** de 2025



TOWN OF APEX
1500 WEST 20th ST
APEX, NORTH CAROLINA 27502
PHONE: 919.460.3426

CONTINUED
PUBLIC NOTIFICATION
OF PUBLIC HEARINGS
CONDITIONAL ZONING #24CZ16
Lawrence Property PUD

Pursuant to the provisions of North Carolina General Statutes § 160D-602 and to the Town of Apex Unified Development Ordinance (UDO) Section 2.2.1.1, 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 Bowles c/o Baker Residential
Authorized Agent: Jason Barron, Morningstar Law Group

Property Address: 3228 Olive Chapel Road
Acreage: 145.52 acres

Property Identification Number (PIN): 0712810293

Current 2045 Land Use Map Designation: Rural Density Residential

If rezoned as proposed, the 2045 Land Use Map Designation will change to: Low Density Residential (north of Olive Chapel Road) and Rural Transition Residential (south of Olive Chapel Road)

Existing Zoning of Property: Wake County Residential RDW (B-606)

Proposed Zoning of Property: Planned Unit Development-Conditional Zoning (PUD-CZ)

Public Hearing Location: Apex Town Hall

Council Chamber, 2nd Floor
73 Hunter Street, Apex, North Carolina

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

Town Council Public Hearing Date and Time: **Monday, June 24, 2024, 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/watch?v=6Gp4gkpw>

If you are unable to attend, you may provide a written statement by email to public.hearings@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 Town Council 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://www.apexnc.org/development>. The 2045 Land Use Map may be viewed online at <http://www.apexnc.org/development/2045>. This may call 919-245-3426, Planning Department, with questions or for further information. To view the petition and related documents, visit the <http://www.apexnc.org/development/2045/14517>.

Dianne F. Allen, AICP
Planning Director

Published Dates: May 2-24, June 24, 2024



TOWN OF APEX
1500 WEST 20th ST
APEX, NORTH CAROLINA 27502
PHONE: 919.460.3426

CONTINUADO
NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL, CONDICIONAL #24CZ16
Lawrence Property PUD (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-602 y con la Sección 2.2.1.1 de la Ordenanza de Desarrollo (UDO) del ayuntamiento de Apex, por la presente se notifica las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mark Bowles c/o Baker Residential

Agente autorizado: Jason Barron, Morningstar Law Group

Dirección de la propiedad: 3228 Olive Chapel Road

Superficie: 145.52 acres



Rain coming
In about 2 hours



9:11 AM
5/28/2025



TOWN OF APEX
11101 Rte.
APEX, NORTH CAROLINA 27502
TEL: 919.460.2999 FAX: 919.460.2998

CONTINUADO
NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS
ORDENAMIENTO TERRITORIAL (CONDICIONAL 826C216)
Laurence Property FUD (Desarrollo de Unidad Planificada)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte 150D-40D y con la Sección 2.2.11 de la Ordenanza de Desarrollo de Unidades (ODU) del Ayuntamiento de Apex, por la presente se notifica las audiencias públicas ante el Consejo Municipal del Ayuntamiento de Apex. El propósito de estas audiencias es considerar lo siguiente:

Solicitante: Mark Boudin C/O Baker Residential

Agente autorizado: Jason Burton, Mortgage/Law Group

Dirección de la propiedad: 3228 Olive Chapel Road

Superficie: ±45.02 acres

Números de identificación de la propiedad: 0713020383

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

Si se aprueba el cambio de zonificación según se propone, el Mapa de Uso Territorial para el 2045 cambiará a: Low Density Residential Single-Family Detached Single-Family Detached Single-Family Detached Single-Family Detached Single-Family Detached

Ordenamiento territorial existente de la propiedad: Valley County Residential RDV (R-80V)

Ordenamiento territorial propuesto para la propiedad: Planned Unit Development Conditional Zoning (PUD-CZ)

Lugar de la audiencia pública: Ayuntamiento de Apex

Cámara del Consejo, 2º piso

7314 West Street, Apex, Carolina del Norte

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

Fecha y hora de la audiencia pública del Consejo Municipal: 24 de mayo 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/watch?v=...>

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a info@apexnc.org o presentarla a la oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 205, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que quede en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Mapa de las inmediaciones:



Los propietarios, inquilinos y asociados de negocio 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://www.apexnc.org/development>. Puede ver el Mapa de Uso Territorial para 2045 aquí: <https://www.apexnc.org/development/Map145>. Si tiene preguntas o desea obtener más información, puede comunicarse con el Departamento de Planificación al 919.460.3438. Puede ver la solicitud y otros documentos relacionados aquí: <https://www.apexnc.org/development/View145>.

Diana F. Khan, AICP
Directora de Planificación

Fecha de publicación: 2 de mayo - ~~24 de mayo~~ 24 de junio de 2025



Trending videos
Google Gemini...



9:12 AM
5/28/2025



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

October 11, 2024

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: September 3, 2024
- Name of development: 24CZ16 Lawrence Property PUD
- Address of rezoning: 3228 Olive Chapel Road
- Total number of proposed residential units: 57
- Type(s) of residential units proposed: Single-family

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

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

☒ Elementary

☐ Middle

☒ High

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

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

☐ Elementary

☐ Middle

☒ High

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

Sincerely,

Susan W. Pullium, MSA
Senior Director



Apex Historic Resource Report

Property Name: H. T. Lawrence Farm

Survey Number: WA1047

Location: 3228 Olive Chapel Road

PIN Number: 0712810293

Date of Visit: July 29, 2024

Classification:

- ☐ Local Inventory
- ☒ Study List for the National Register of Historic Places
- ☐ National Register of Historic Places (Individual/District)
- ☐ Apex Historic Landmark

Observations:

After examination of the property, we are of the opinion that a majority of the H. T. Lawrence Farm House original historic fabric remains intact. The house features a very unique floorplan and elaborate detailing not seen elsewhere in Apex or the surrounding area.

There are several outbuildings, but many of them are severely deteriorated due to neglect and not being used for farming operations in decades. Salvageable materials from these outbuildings should be used on the restoration of the house and/or other preservation projects in the Apex area, and the few that are structurally sound should be saved with the house. Further evaluation of each outbuilding will be needed in the future.

The house was at the center of a large farming operation in the late 19th and early 20th century and was built in several stages, first beginning around 1894. Despite a few alterations, the house retains most of its early features and form, including the wrap-around porch with turned columns, a front door with double rounded glazed panels and two pane transom, and 2/2 sash windows. The interior is relatively intact, with most of its original elaborate mantels, newel posts, balustrade, wainscoting, and chair rail. There is door on the landing of the stairs that leads to the rear ell edition through a set of steps, a very unique design feature. The second story appears to be untouched for the last century, with flushboard walls and original heart pine flooring. This is a house most worthy of historic preservation efforts, and it is on the Study List for the National Register of Historic Places, which elevates it far above other surveyed historic resources.

Historic Integrity:

House

- ☒ Yes
- ☐ No

Outbuildings

- ☒ Yes
- ☒ No

I, Jeremy Bradham, inspected the above property, state that this report provides an accurate representation of the historic integrity of the property as of:

Date 8/5/2024

Signature



North Carolina Department of Natural and Cultural Resources State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary, Darin J. Waters, Ph.D.

March 3, 2025

Mark Bowles
Baker Residential
7001 Weston Parkway, Suite 150
Cary, NC 27513

mbowles@bakerresidential.com

Re: Construct residential development, 3228 Olive Chapel Road, Apex, Wake County, ER 24-2547

Dear Mr. Bowles:

Thank you for facilitating the meeting of February 21, 2025, which included representatives from Baker Residential, the Town of Apex, Capital Area Preservation, and the HPO. The discussions held during this meeting were productive and allowed for a deeper understanding of the project and Baker's intent to preserve elements of the historic H. T. Lawrence Farm (WA1047). We appreciate the time of all parties who were present.

The following points of discussion were addressed during the meeting and have been recorded in our project files.

Lawrence Farm Boundary

At the time of the meeting, the historic farm property was represented by a single point on our HPOWEB platform, and was not an accurate representation of the historic property boundaries which should be considered during Section 106 review. A review of the record for WA1047, recent context studies, and aerial imagery was used to determine an appropriate boundary for the historic farm as it exists today. A boundary polygon, as shown in the image on the right, has been added to the farm's GIS data, and encompasses the main farmhouse, extant outbuildings, and the agricultural acreage necessary to retain integrity of setting; HPOWEB updated as of Feb. 28th.



Relocation and Preservation of Farmhouse and Outbuildings

We note that Baker Residential proposes relocating the farmhouse and one to two outbuildings to a parcel on the south side of Olive Chapel Road. The intent is to donate the land and structures to Capital Area Preservation (CAP) and for it to be sold as a residential property. To effectively maintain stewardship of the historic farm elements CAP requires the execution of a preservation easement. CAP provided a sample land donation agreement for the parties to review. You confirmed that Baker Residential would formalize the execution of a donation agreement with CAP as soon as possible.

Section 106 - Adverse Effect Mitigation

As of the meeting, it is unconfirmed as to whether a permit from the U.S. Army Corps of Engineers will be required for the development. Baker residential intends to submit documentation to the Corps once the Town of Apex has provided comment on the proposed zoning application. Should the proposed development plan require a federal permit and the issuing agency determine that the action will have an adverse effect on the historic farm property, then Section 106 would require resolution of the effect through mitigation.


The proposed donation and relocation could be considered as mitigation for Section 106 purposes. Based on the good faith effort shown by Baker Residential's consultation with CAP and your stated intent to enter into the donation agreement, HPO would not object if the current plan was proposed during the development of a memorandum of agreement (MOA) to resolve adverse effects to the Lawrence Farm. Specifics of the mitigation strategy would also include Baker's responsibility for the action of moving the structures, site work, and rehabilitation needed. All details of these requirements would be evaluated and agreed upon prior to executing the MOA.

Thank you again for providing our staff with the opportunity to discuss the project and proposed preservation of the farm's elements with the interested parties. Please reach out to Katie Harville, Environmental Review Specialist, at katie.harville@dncr.nc.gov, with any questions, corrections, or future consultation meeting requests.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@dncr.nc.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,


for Ramona Bartos, Deputy
State Historic Preservation Officer

cc June Cowles, Town of Apex
Katie Harville, NCHPO
Gary Roth, CAP

June.Cowles@apexnc.org
katie.harville@ncdcr.gov
groth@cappresinc.org



TECHNICAL MEMORANDUM

Date: Tuesday, February 4, 2025

To: Russell Dalton, PE
Town of Apex
Traffic Services Manager

From: Brittany Chase, P.E.
Traffic Engineer
Exult Engineering

Subject: Lawrence Property Residential Development
Trip Generation Letter

BACKGROUND

Exult Engineering has been contracted to perform traffic engineering services for the proposed Lawrence Property Residential Development located along Olive Chapel Road west of Transit Trail in Apex, North Carolina as shown on the Vicinity Map on Figure 1. As currently envisioned, the proposed site consists of up to 57 single-family detached homes located on the north side of Olive Chapel Road. As shown on the Site Plan on Figure 2, proposed access consists of one full movement driveway on Olive Chapel Road and connectivity to the adjacent Retreat at Cedar Crossing development via Adirondack Way. The proposed site is to be developed by 2029 and requires rezoning to Planned Unit Development – Conditional Zoning (PUD CZ). The purpose of this letter is to discuss the anticipated trip generation of the proposed site.

EXISTING AND FUTURE CONDITIONS

Olive Chapel Road is currently a 2-lane roadway classified as a Thoroughfare on the Town's *Thoroughfare and Collector Street Plan* with a posted speed limit of 45 miles per hour. According to the *NCDOT AADT Mapping Application*, Olive Chapel Road has a 2023 Annual Average Daily Traffic (AADT) volume of 3,200 vehicles per day. The proposed full movement driveway on Olive Chapel Road will serve as the proposed north-south roadway currently designated as a Future Major Collector Street on the Town's *Thoroughfare and Collector Street Plan*. Widening across the site's frontage to provide for half of the planned ultimate section will be required. The ultimate section for Olive Chapel Road consists of a 2-lane roadway with 110 feet of right-of-way and 6 feet of paved shoulders for future bike lanes, a 10-foot side path along the north side of Olive Chapel Road, and a 5-foot sidewalk along the south side of Olive Chapel Road.

TRIP GENERATION

The trip generation was based on rates and equations published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition. NCDOT Congestion Management Rates vs. Equations spreadsheet was used for guidance. As shown in Table 1, the proposed development is expected to generate 602 daily trips, 45 AM peak hour trips (11 entering, 34 exiting), and 59 PM peak hour trips (37 entering, 22 exiting).

Table 1: Trip Generation for Lawrence Property Residential

Land Use		Daily	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
210: Single-Family Detached Housing	57 d.u.	602	45	11	34	59	37	22
Total		602	45	11	34	59	37	22

References: *Trip Generation Manual*, 11th Edition, Institute of Transportation Engineers, September 2021

The anticipated trip generation of the proposed site is well below the North Carolina Department of Transportation's (NCDOT's) threshold of 3,000 trips per day for requiring a Traffic Impact Analysis (TIA). The anticipated trip generation is also below the Town's TIA threshold of 1,000 trips per day and 100 peak hour trips. Based on the trip generation analysis presented herein, the projected traffic impact from the proposed Lawrence Property Residential Development is expected to be minimal.

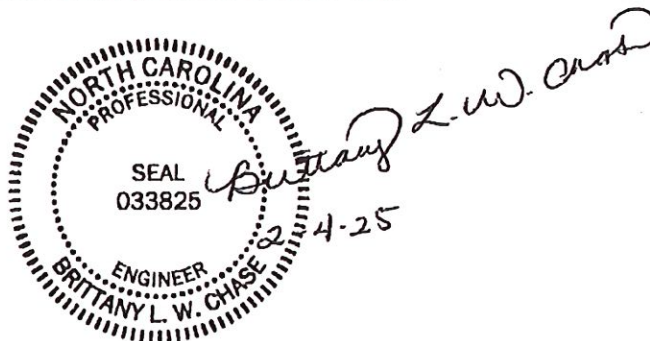
IMPROVEMENT REQUIREMENTS

In addition to the thoroughfare widening along the site frontage, the Town has stated the developer is also responsible for constructing an exclusive eastbound left-turn lane on Olive Chapel Road at the proposed site driveway with 100 feet of full-width storage and appropriate taper to accommodate expected traffic volumes. This requirement is consistent with the North Carolina Department of Transportation (NCDOT) guidelines for turn lane warrants.

Please let me know if you have any questions or comments.

Sincerely,

Brittany Chase, P.E.
Exult Engineering



cc: Daniel Boulware, PE, NCDOT Division 5, District 1
Mark Bowles, Baker Residential

Attachments: Figure 1 – Vicinity Map
Figure 2 – Proposed Site Plan

Lawrence Property Trip Generation

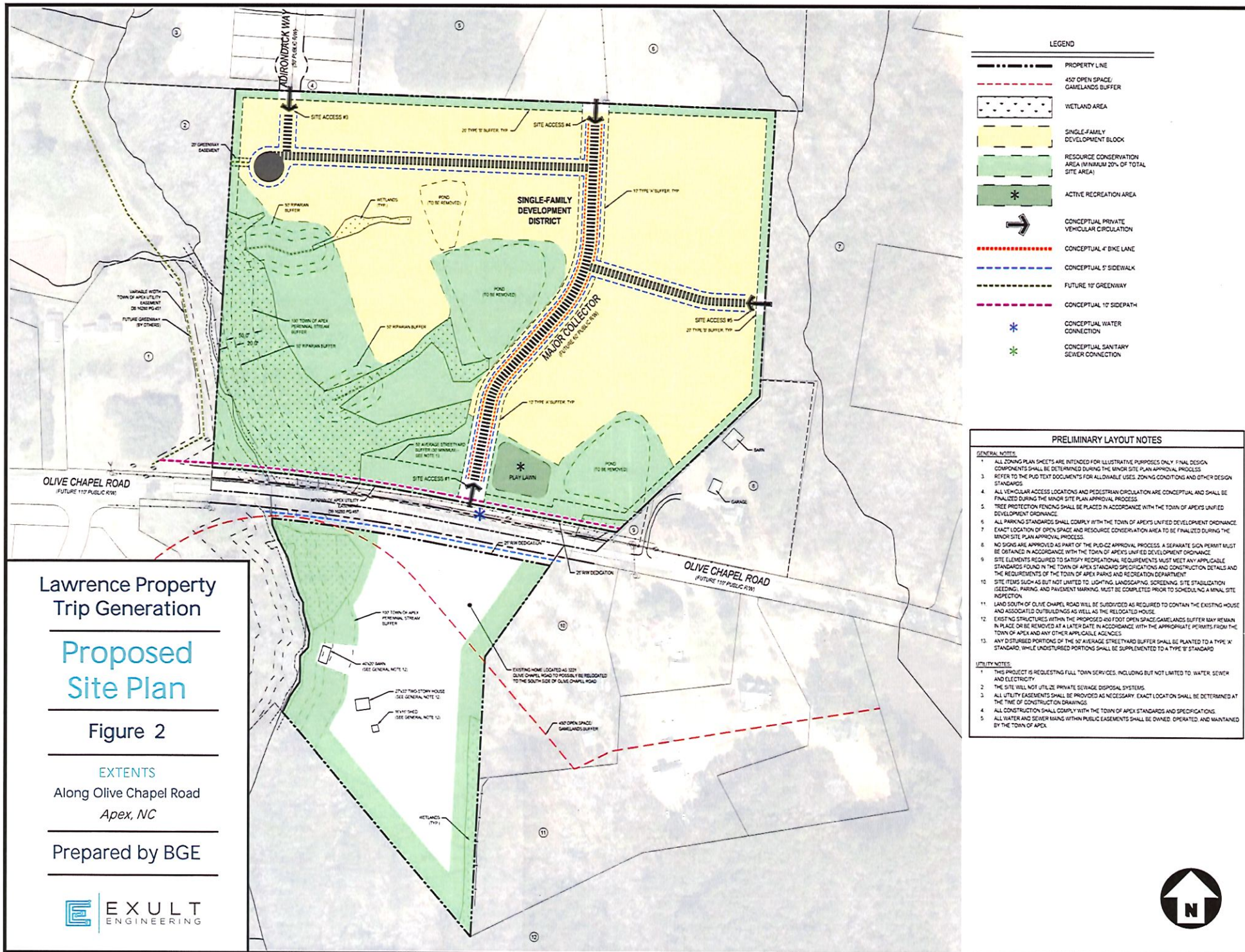
Vicinity Map

Figure 1

EXTENTS

Along Olive Chapel Road
Apex, NC





Lawrence Property
Trip Generation

Proposed Site Plan

Figure 2

EXTENTS

Along Olive Chapel Road
Apex, NC

Prepared by BGE

