

STAFF REPORT

Rezoning #21CZ03 Willow Hills PUD Amendment

June 22, 2021 Town Council Meeting



All property owners within 300 feet of this rezoning have been notified per UDO Sec. 2.2.11 Public Notification.

BACKGROUND INFORMATION:

Location: 3417 Olive Chapel Rd.; 0 Willow Hills Dr.; 1400, 1406, 1411, 1412, 1418, 1419, 1425, 1426 Sierra Glen Cir.; and 0, 3400, 3406, 3407, 3413, 3414, 3420, 3426, 3432, 3438 Snowbed Ridge Dr.
Applicant: Jason Barron, Morning Star Law Group
Owner: Toll Southeast LP Company, Inc.

PROJECT DESCRIPTION:

Acres: +/- 70.77 acres
PINs: 0711692986, 0712601899, 0712604495, 0712604523, 0712605368, 0712606239, 0712606638, 0712606882, 0712607157, 0712607483, 0712607521, 0712607715, 0712608354, 0712608811, 0712609674, 0712609833, 0712700599, 0712700842, 0712701369, 0712701797, 0712703702, 0712703820
Current Zoning: Planned Unit Development–Conditional Zoning (PUD-CZ #18CZ28)
Proposed Zoning: Planned Unit Development–Conditional Zoning (PUD-CZ)
Current 2045 Land Use Map: Rural Density Residential
Town Limits: Inside Town Limits

ADJACENT ZONING & LAND USES:

	Zoning	Land Use
North:	Wake County Residential (R-80W)	Single-family or Vacant
South:	Wake County Residential (R-80W)	Single-family or Vacant
East:	Wake County Residential (R-80W)	Single-family or Vacant
West:	Wake County Residential (R-80W)	Single-family or Vacant

BACKGROUND:

The site consists of several parcels totaling +/- 70.80 acres. It is located at the southeast corner of Olive Chapel Road and New Hill Olive Chapel Road. A historic house is located on one parcel. The original zoning petition was approved by Town Council on November 20, 2018. A Master Subdivision Plan was approved on April 25, 2019. The subdivision is currently under construction.

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood meeting on December 20, 2020. The meeting report is attached to your staff report.

2045 LAND USE MAP:

The 2045 Land Use Map designates the site as Rural Density Residential. The proposed PUD amendment does not impact the density of the development or the type of uses approved. The proposed rezoning is a valid district within that Land Use Map designation.

PLANNED UNIT DEVELOPMENT PLAN:

The intent of this PUD amendment is to adjust the location of the sidewalk connecting Olive Chapel Road and New Hill Olive Chapel Road. During construction, historic graves were discovered within the right-of-way along Olive Chapel Road. To preserve the historic graves the sidewalk cannot be installed within the right-of-way adjacent to the cemetery as originally proposed.

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Therefore, the applicant requests that the following language be removed from Section 12: Public Facilities Compliance under Roadways:

5-foot sidewalks shall be constructed along both thoroughfare frontages. 5-foot sidewalks shall be extended offsite from both thoroughfare frontages to intersect at the corner of Olive Chapel Road and New Hill Olive Chapel Road.

The applicant proposes the following language in its place:

A 5-foot sidewalk shall be constructed along the internal property line shared with the cemetery. The sidewalk shall be located between the 10-foot Type B landscape buffer and the historic house. It shall be located within a 12-foot public access easement on HOA owned common area. A metal hoop-and-picket style fence shall be installed approximately 1 foot off the sidewalk on the side closest to the historic house. A continuous evergreen hedge shall be planted between the fence and the historic house.

No other changes are proposed.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the PUD amendment as proposed.

PLANNING BOARD RECOMMENDATION:

Planning Board heard this proposal at their June 14, 2021 meeting and unanimously voted to recommend approval 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 proposed rezoning to Planned Unit Development-Conditional Zoning (PUD-CZ) is consistent with the 2045 Land Use Map since it does not propose any changes to the dimensional standards or uses previously approved in zoning case #18CZ28. The proposed rezoning is reasonable and in the public interest because it will provide a valuable pedestrian connection along two major thoroughfares while preserving the existing graves.

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.

Legislative Considerations

The Town Council shall find the Planned Unit Development-Conditional Zoning (PUD-CZ) designation demonstrates compliance with the following standards. 2.3.3.F:

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

- 1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.
- 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of surrounding land uses.
- 3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use's compliance with Sec 4.4 *Supplemental Standards*, if applicable.
- 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.
- 5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use's minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

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- 6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use's avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.
- 7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use's effect on the health, safety, or welfare of the residents of the Town or its ETJ.
- 8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.
- 9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.
- 10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

Rezoning #21CZ03

New Hill Olive Chapel Rd

Olive Chapel Rd

Lawson Ln

Transit Trl

Willow Hills



February 2021
January 2021 Aerial Photography
Prepared by Town of Apex Planning Department

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 #: 21CZ03 Submittal Date: 1/4/2021
Fee Paid: \$ 500.00 + \$300 late fee Check #: paid VISA 1/5/21

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: Olive Chapel Road Assemblage
Address(es): Snowbed Ridge Drive; Willow Hills Drive; Sierra Glen Circle; 3417 Olive Chapel Rd; & 805 New Hill Olive Chapel Hill Rd.

PIN(s) 0712-60-6882; 0712-70-1369; 0712-70-3820; 0712-60-1899; 0712-60-4523; 0712-60-4495; 0712-60-7521; 0712-60-5368; 0712-60-6239; 0712-60-7483; 0712-60-8354; 0712-60-7157;
0712-70-3702; 0712-70-1797; 0712-70-0599; 0712-60-9674; 0712-70-0842; 0711-69-2986; 0712-60-9833; 0712-60-8811; 0712-60-7715; & 0712-60-6638; Acreage: 70.77

Current Zoning: PUD-CZ Proposed Zoning: PUD-CZ
Current 2045 LUM Designation: Rural Density Residential
Requested 2045 LUM Designation: Rural Density Residential
See next page for LUM amendment

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

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

Applicant Information

Name: Same as Owner Below
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Owner Information

Name: Toll Southeast LP Company INC
Address: 250 Gibraltar Road
City: Horsham State: PA Zip: 19044
Phone: _____ E-mail: _____

Agent Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ E-mail: _____

Other contacts: _____

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: 21CZ03

Submittal Date: 1/4/2021

2045 LAND USE MAP AMENDMENT (if applicable)

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

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

The southeast quadrant of the intersection of New Hill Olive Chapel Road and Olive Chapel Road

Current 2045 Land Use Classification: Rural Density Residential

Proposed 2045 Land Use Classification: Rural Density Residential

What conditions justify the passage of the amendment to the 2045 Land Use Map? Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications.

See attached letter regarding routing for sidewalk on account of gravesites

CERTIFIED LIST OF NEIGHBORING PROPERTY OWNERS

Application #: 21CZ03

Submittal Date: 1/4/2021

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

	Owner's Name	PIN
1.	See Attached	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

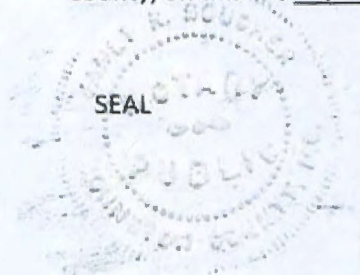
I, Dan Rossi, certify that this is an accurate listing of all property owners and property owners within 300' of the subject property.

Date: 1/4/21

By: [Signature]

Johnston
COUNTY OF ~~WAKE~~ STATE OF NORTH CAROLINA

Sworn and subscribed before me, Janet R. Boucher, a Notary Public for the above State and County, on this the 4th day of January, 2021.



Janet R. Boucher
Notary Public
Janet R. Boucher
Print Name

My Commission Expires: 5/28/22

Owner	PIN
BROWN, WILLIAM MASON BROWN, KAREN K	0711-59-1871; 0712-50-3022
GOODWIN, JEAN HARE	0712-51-7375
HARDY, TERESA G HARDY, JAMES W	0712-71-0268; 0712-71-3207
HORNER, MARY JO	0711-59-7291
LAWRENCE, JAMES L CHALK, KATHERINE L	0712-81-0293
LOGAN, STEVE D LOGAN, GLADYS B	0711-49-4137
MCIVER, BOBBY R TRUSTEE MCIVER, NANCY P TRUSTEE	0712-61-7288
OLIVE CHAPEL BAPTIST CHURCH	0712-50-1835
RICH, JACKIE D RICH, LYNDA H	0712-70-5757
SCHELTINGA, MARK G SCHELTINGA, TRACEY L	0712-61-3307
STOSKOPF, MICHAEL K KENNEDY-STOSKOPF, SUZANNE	0712-40-6356
TOLL SOUTHEAST LP COMPANY INC	0712-70-1721; 0712-50-7514; 0712-60-2869; 0712-60-3422; 0711-79-0712; & 0712-60-8523
UNITED STATES OF AMERICA	0711-78-7015

AGENT AUTHORIZATION FORM

Application #: 21CZ03

Submittal Date: 1/4/2021

Toll Southeast LP Company Inc is the owner* of the property for which the attached application is being submitted:

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

The property address is: 3417 Olive Chapel Rd, 805 New Hill Olive Chapel Rd, Scrubbed Ridge Rd, Willow Hill Dr, &

The agent for this project is: Den Rossi - VP of Toll Southeast LP Company Inc Sierra Glen Cir

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


Agent Name: _____

Address: _____

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*



Den Rossi - V.P

Type or print name

1/4/21

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

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

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

AFFIDAVIT OF OWNERSHIP

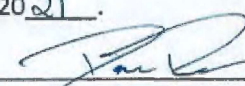
Application #: 21CZ03

Submittal Date: 1/4/2021

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

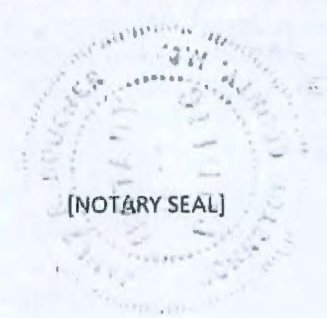
- Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at D NEW HILL OLIVE CHAPEL RD A D D 3309 3329 & 3417 OLIVE CHAPEL RD and legally described in Exhibit "A" attached hereto and incorporated herein (the "Property").
- This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
- If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 2/11/2020 and recorded in the Wake County Register of Deeds Office on 2/13/2020 in Book 17747 Page 1271 1235 1258 1271 1274.
- 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).
- If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 2/11/2020, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 2/11/2020, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

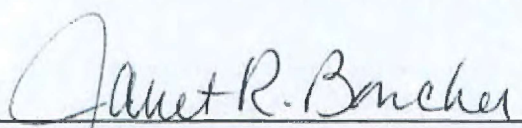
This the 4th day of Jan, 2021.


 _____ (seal)
Dan Rossi - V.P.
 Type or print name

STATE OF NORTH CAROLINA
COUNTY OF Johnston

I, the undersigned, a Notary Public in and for the County of Johnston, hereby certify that Dan Rossi, 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.





 Notary Public
 State of North Carolina
 My Commission Expires: 5/28/22

Attachment A

LEGAL DESCRIPTION

Beginning at a PK nail in the center of Olive Chapel Rd (SR# 1160), said point also being the northwest corner of the herein described tract and having a NC Grid coordinate value of 7210081.79N and 2015798.34E; thence from the point of beginning continuing along the following courses: S 64°27'10" E a distance of 37.08' to a PK nail on the center of the road; thence S 65°42'14" E a distance of 50.18' to a PK nail on the center of the road; thence S 66°19'21" E a distance of 52.95' to a PK nail on the center of the road; thence S 67°17'52" E a distance of 32.86' to a PK nail on the center of the road; thence with a curve turning to the left with an arc length of 136.07', with a radius of 531.84', with a chord bearing of S 77°39'44" E, with a chord length of 135.70' to a PK nail on the center of the road; thence S 88°54'25" E a distance of 120.77' to a PK nail on the center of the road; thence N 87°19'14" E a distance of 147.00' to a PK nail on the center of the road; thence N 85°28'14" E a distance of 38.51' to a PK nail on the center of the road; thence N 86°04'47" E a distance of 87.59' to a PK nail on the center of the road; thence N 86°33'59" E a distance of 54.04' to a PK nail on the center of the road; thence N 87°41'57" E a distance of 83.21' to a PK nail on the center of the road; thence N 88°36'37" E a distance of 72.28' to a PK nail on the center of the road to a PK nail on the center of the road; thence S 89°46'29" E a distance of 67.14' to a PK nail on the center of the road; thence S 88°39'15" E a distance of 280.68' to a PK nail on the center of the road; thence S 87°48'14" E a distance of 71.08' to a PK nail on the center of the road; thence S 87°31'14" E a distance of 73.24' to a PK nail on the center of the road; thence S 87°28'13" E a distance of 114.86' to a PK nail on the center of the road; thence S 01°25'41" W a distance of 30.01' to an existing concrete monument with a coordinate value of 720956.07N and 201797.63E; thence S 01°25'41" W a distance of 76.16' to an existing iron pipe; thence S 60°23'30" E a distance of 110.16'; thence S 25°05'46" E a distance of 134.35' to an existing iron pipe; thence S 04°20'36" W a distance of 428.36' to an existing iron pipe; thence S 04°20'36" W a distance of 44.58' to an existing iron pipe; thence S 42°15'12" W a distance of 242.28' to an existing iron pipe; thence S 11°48'01" E a distance of 588.09' to an existing iron pipe; thence S 74°53'53" W a distance of 609.34' to an existing iron pipe; thence S 75°09'34" W a distance of 24.90' to an existing iron pipe; thence S 72°50'02" W a distance of 196.22' to an existing iron pipe; thence S 71°05'06" W a distance of 278.05' to an existing iron pipe; thence S 49°58'17" E a distance of 267.37' to an existing iron pipe; thence S 31°54'05" W a distance of 379.38' to an existing iron pipe; thence N 73°27'28" W a distance of 221.85' to an existing iron pipe; thence N 00°38'18" E a distance of 1036.61' to an existing iron pipe; thence S 89°17'44" W a distance of 172.52' to an existing iron pipe; thence S 89°24'42" W a distance of 514.90' to an existing iron pipe; thence N 00°57'27" E a distance of 512.16' to an existing iron pipe; thence N 79°48'32" W a distance of 118.60' to an existing iron pipe; thence N 79°48'32" W a distance of 32.48' to a PK nail on the center of New Hill Olive Chapel Rd (SR# 1141); thence N 32°02'14" E a distance of 47.77' to a PK nail on the center of the road; thence N 32°20'44" E a distance of 200.36' to a PK nail on the center of the road; thence N 31°35'51" E a distance of 98.83' to a PK nail on the center of the road; thence N 25°06'24" E a distance of 96.60' to a PK nail on the center of the road; thence N 14°12'14" E a distance of 99.13' to a PK nail on the center of the road; thence N 10°09'35" E a distance of 194.82' to a PK nail on the center of the road; thence S 83°52'03" E a distance of 29.55' to an existing concrete monument; thence S 83°47'59" E a distance of 100.32' to an existing concrete monument with a coordinate value of 720956.71N and 2015695.78E; thence N 13°28'52" E a distance of 66.73' to an existing concrete monument with a coordinate value of 721021.60N and

21CZ03

1/4/2021

201021.57E; thence S $89^{\circ}58'56''$ E a distance of 83.67' to an existing concrete monument with a coordinate value of 721021.57N and 2015795.00E; thence N $03^{\circ}10'30''$ E a distance of 60.31' to a PK nail on the center of Olive Chapel Rd (SR# 1160); which is the point of beginning, having an area of 3082888.37 square feet, 70.773 acres.



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

May 28, 2021

Shelly Mayo
Planner II
Town of Apex

RE: Olive Chapel Road Assemblage PUD Amendment

Dear Shelly Mayo:

This letter is to inform you of the intent of the proposed PUD Amendment for the above-captioned project. The intent of this PUD amendment is to adjust the location of the sidewalk connecting Olive Chapel Road and New Hill Olive Chapel Road. Due to the location of graves within the right-of-way, sidewalk cannot be installed along the thoroughfare frontage adjacent to the cemetery as originally proposed.

Because of that, the applicant requests that the following language be removed from Section 12: Public Facilities Compliance under Roadways:

“5-foot sidewalks shall be constructed along both thoroughfare frontages. 5-foot sidewalks shall be extended offsite from both thoroughfare frontages to intersect at the corner of Olive Chapel Road and New Hill Olive Chapel Road.”

The following language is proposed in its place:

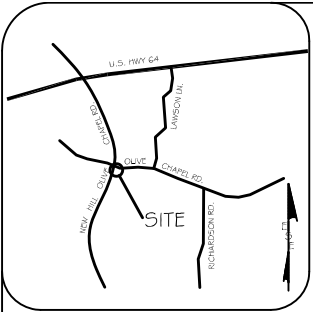
“A 5-foot sidewalk shall be constructed along the internal property line shared with the cemetery. The sidewalk shall be located between the 10-foot Type B landscape buffer and the historic house. It shall be located within a 12-foot public access easement on HOA owned common area. A metal hoop-and-picket style fence shall be installed approximately 1 foot off the sidewalk on the side closest to the historic house. A continuous evergreen hedge shall be planted between the fence and the historic house.”

This encompasses the entire scope of the proposed amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "Nil Ghosh", is written over a horizontal line.

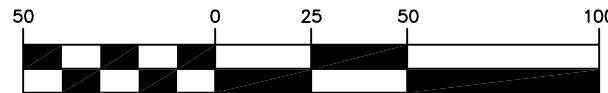
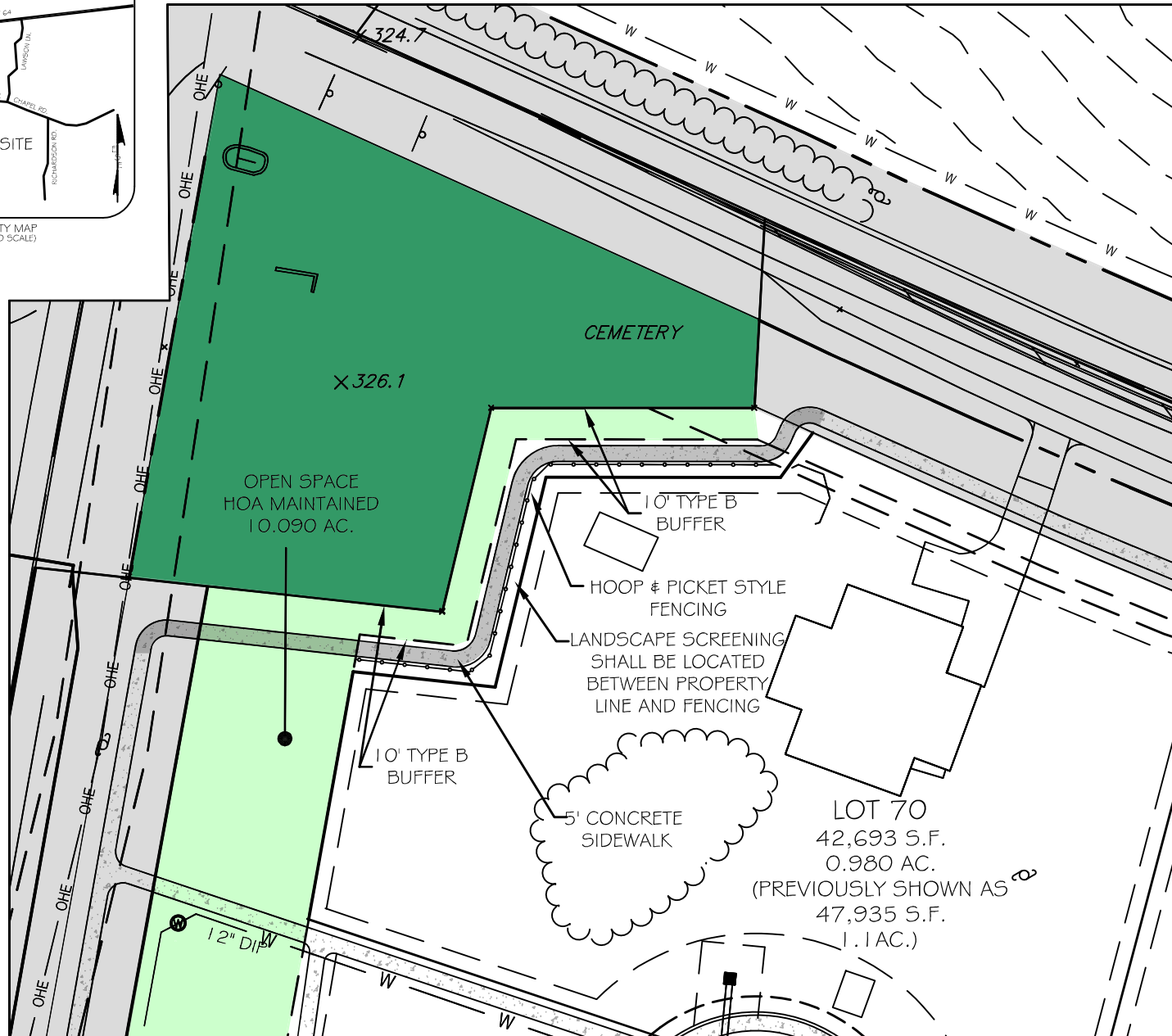
Nil Ghosh | Associate
Morningstar Law Group



VICINITY MAP
(NOT TO SCALE)



N.C. GRID
M.D. 6519, PG. 164
D.B. 47719, PG. 164



1 inch = 50 ft.

ESE CONSULTANTS
PLANNING • ENGINEERING • ARCHITECTURE • ENVIRONMENTAL

LICENSE # C-2973
ESE of North Carolina, PC
900 Perimeter Park Dr, Suite B3,
Morrisville, NC 27560
TEL: 919-321-4800 FAX: 919-321-7880

SIDEWALK EXHIBIT
FOR
TOLL BROTHERS, INC

WILLOW HILLS
OLIVE CHAPEL ROAD
TOWN OF APEX, WAKE COUNTY, NC

CURRENT OWNER
TOLL NC II, L.P.
D.B. 4719, PG. 164

JOB #: 4380.0000
DATE: 05-14-21
SCALE: 1"=50'
DRAWN BY:
REVIEWED BY:
REVISIONS: *

NOTICE OF ELECTRONIC NEIGHBORHOOD MEETING

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

12/18/2020

Date

Dear Neighbor:

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

0 NEW HILL OLIVE CHAPEL RD & 0, 3417, 3329, 0, & 3309 OLIVE CHAPEL RD

0711-79-0712, 0712-80-3422, 0712-50-7514, 0712-80-2868, 0712-60-8573, & 0712-70-1721

Address(es)

PIN(s)

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

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

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

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

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

The proposed rezoning is sought merely to eliminate a condition which requires construction of offsite sidewalk around

the corner of Olive Chapel Road and New Hill Olive. The applicant has learned through the site plan

approval process that this sidewalk would be required to go through an existing cemetery and directly impact an existing gravesite on the adjacent church property. The applicant seeks to avoid this conflict by removing the condition requiring construction of the sidewalk.

Estimated submittal date: January, 2021

MEETING INFORMATION:

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

Applicant(s): Property Owner

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

Electronic Meeting invitation/call in info:

http://bit.ly/mlg122292020-2mtg

Date of meeting**:

12/29/2020

Time of meeting**:

5:30 PM

MEETING AGENDA TIMES:

Welcome: 5:30 - 5:35 Project Presentation: 5:35 - 5:45 Question & Answer: 5:45 - 7:30

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

PROJECT CONTACT INFORMATION

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

Development Contacts:

Project Name: Olive Chapel Road Assemblage Zoning: PUD-CZ

Location: 0 NEW HILL OLIVE CHAPEL RD & 0, 3417, 3329, 0, & 3309 OLIVE CHAPEL RD

Property PIN(s): 0711-79-0712, 0712-50-7514, 0712-60-2869, 0712-60-3422, 07 Acreage/Square Feet: 70.77 acres/ 3,082,888.37 sf

Property Owner: Toll Southeast LP Company

Address: 250 Gibraltar Road

City: Horsham State: PA Zip: 19044

Phone: 919-321-4800 Email: pverille@tollbrothers.com

Developer: Same as Property Owner Above

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: ESE of North Carolina, PC

Address: 2310 T.W. Alexander Drive

City: Raleigh State: NC Zip: 27617

Phone: 919-355-0706 Fax: _____ Email: _____

Builder (if known): Same as Property Owner Above

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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

Town of Apex Department Contacts

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

Providing Input to Town Council:

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

Private Agreements and Easement Negotiation:

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

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

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

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

Documentation:

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

COMMON CONSTRUCTION ISSUES & WHO TO CALL

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

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

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

Construction Traffic: James Misciagno 919-372-7470

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

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

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

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

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

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

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

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

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

Dust: James Misciagno 919-372-7470

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

Trash: James Misciagno 919-372-7470

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

Temporary Sediment Basins: James Misciagno 919-372-7470

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

Stormwater Control Measures: Jessica Bolin 919-249-3537

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

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.



NAME OF PROJECT: OLIVE CHAPEL ROAD ASSEMBLAGE

PREPARED CONTACT INFORMATION:
 ONE OF NORTH CAROLINA, PC
 ONE W. PHILIPS, PE
 REGISTRATION NO. 17329
 220 S.W. ALBANY DRIVE
 RALEIGH, NC 27617
 (919) 353-9700
 info@oneofnorthcarolina.com

OWNER'S CONTACT INFORMATION:
 LAWRENCE, JAMES S., CHIEF, EASTVIEW L, (PH) 711-2800 (2)
 1536 SHIP SHAPE DRIVE, ROCKINGHAM CITY, NC, 28557-9118
 (919) 532-7633 (3)
 EASTVIEW L, PAVEN, A., MANAGER/OWNER JOHN D., (PH) 711-2800 (14)
 3417 OLIVE CHAPEL ROAD, APFS, NC, 27502-4784
 (919) 532-7633 (4)
 GOODWIN, DON G., COORDINATOR GRACE E., (PH) 711-2605 (5)
 3329 OLIVE CHAPEL ROAD, APFS, NC, 27502-4517
 (919) 518-4774 (10)
 GRACE E., TRUSTEE SURROUNDINGS TRUST A, (PH) 711-2603 (23)
 647 ARDEN DRIVE, TRUSTEE SURROUNDINGS TRUST A, (PH) 711-2603 (23)
 (919) 518-5673 (25)
 GOODWIN, DONALD G., COORDINATOR GRACE E., (PH) 711-2605 (23)
 3329 OLIVE CHAPEL ROAD, APFS, NC, 27502-4517
 (919) 518-4774 (10)
 POWELL, MARY C., POWER, JOSEPH D. (PH) 1270 (73)
 3420 OLIVE CHAPEL ROAD, APFS, NC, 27502-4517
 (919) 518-3289 (27)

CONTRACT MANAGERS:
 PERRY UTPILE, RAULDI DIVISION
 2810 NORTHPOINT ST COMPANY, INC.
 320 CANTON ROAD
 RICHMOND, VA 23264
 (PH) 813-321-1800 (PH) 813-321-7600
 PerryU@perryutpile.com

CURRENT ZONING AND USE:
 MAP DESCRIPTION: RURAL DELIVERY RESIDENTIAL

AREA OF TRACTS: 70.77 AC.

COUNTY: RALPH HAMPSHIRE COUNTY

PROPOSED ZONING: PUD-CZ

BUILDING HEIGHTS & STOREYS: 30' MAX. 4 & 3 STOREYS

PARKING SPACES: REQUIRED: 21 UNIT
 PROVIDED: 21 UNIT

REQUIRED STRIPS: FROM: 20'
 TO: 5'
 ROAD: 10'

MINIMUM LOT SIZE: 11,500 S.F.

AREA OF MAP SIZE: 15,000 S.F.

MINIMUM DIST. FROM HIGHWAY: 50'

WATERBODIES: JORDON LAKE

WATERBODIES PROTECTION OVERLAY DISTRICT: PMAWAY

FEMA FLOOD MAP: NEAR 10 YEAR FLOOD MAP MAY 27 2007 1:00K AND 37 2007 1:25K DISTRICT DATE 2007

HISTORIC STRUCTURES: ONE TO BE REINFORCED

ADJACENT P.A.: 649

UNDEVELOPED ACRE: NA

PARCEL & REC. RECOMMENDATION: THE PUD IN USE IS: S3,345.43 ± 62' LOTS = 6,230,555.01

GENERAL CONDITIONS OF APPROVAL:

1) THESE LOTS ARE TO BE DEVELOPED AS 20'± WIDE DRIVE, 100'± WIDE DRIVE, AND 100'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

2) NO 10'± WIDE DRIVE SHALL BE DEVELOPED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

3) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

4) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

5) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

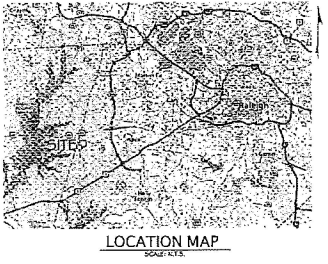
6) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

7) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

8) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

9) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.

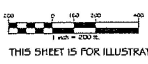
10) DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE. DRIVE SHALL BE BASED ON A MINIMUM 10'± WIDE DRIVE.



SHEET INDEX

PUD-1	COVER
PUD-2	EXISTING CONDITIONS PLAN
PUD-3	PRELIMINARY LAYOUT PLAN
PUD-4	PRELIMINARY TRASSING PLAN
PUD-5	PRELIMINARY UTILITY PLAN
PUD-6	PRELIMINARY STORMWATER MANAGEMENT PLAN

THESE PLANS ARE IN SUPPORT OF A PETITION TO REZONE THE SUBJECT PROPERTY TO PUD-CZ



THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

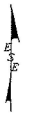
ENGINE CONSULTANTS

DATE: 11/15/11
 DRAWN BY: J. [Name]
 CHECKED BY: [Name]
 SCALE: 1:2500

COVER SHEET

REZONING PLANS
 OLIVE CHAPEL ROAD ASSEMBLAGE

PUD-1 OF 6

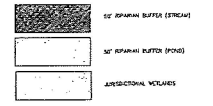


TRACT	AREA (AC)	PERCENTAGE
TRACT 1	14.27	19.82
TRACT 2	28.47	39.82
TRACT 3	14.80	20.72
TRACT 4	8.80	12.15
TRACT 5	10.61	14.75
TRACT 6	2.89	4.01
TOTAL	77.77	100.00

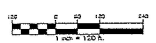
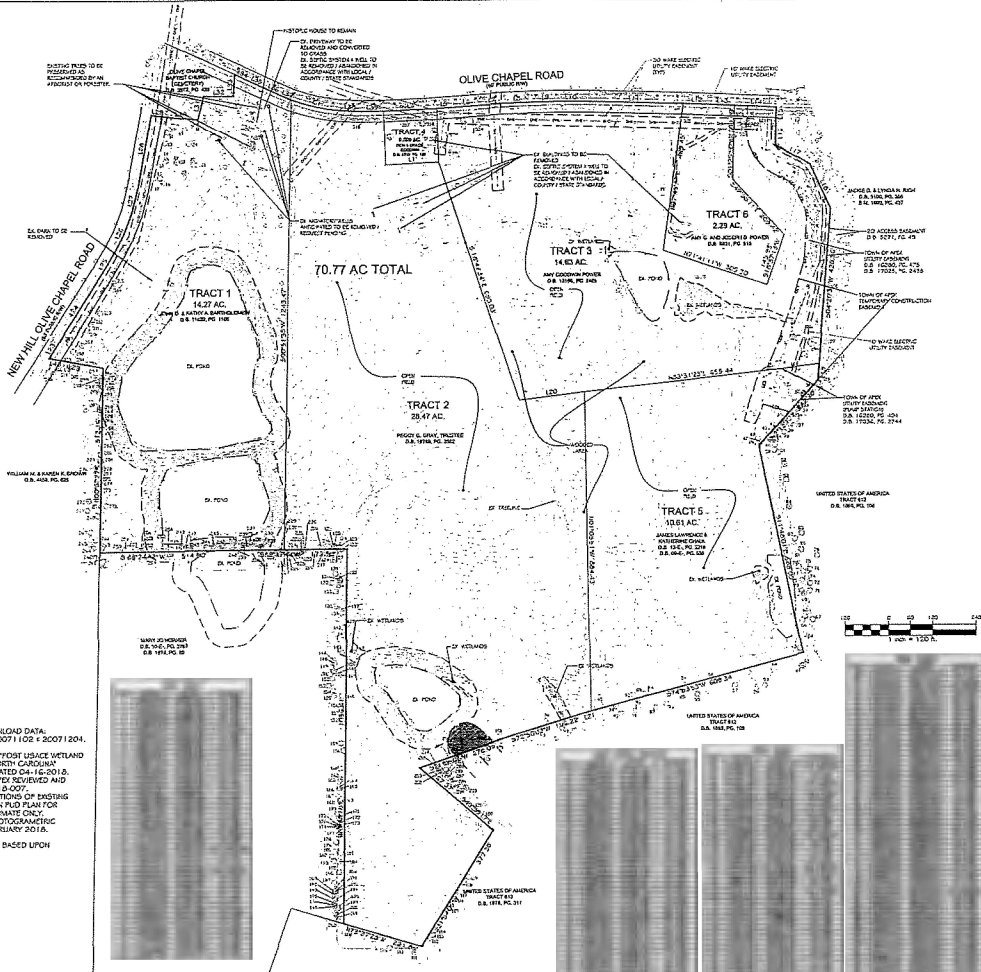
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TRACT 6	2.89	4.01
TOTAL	77.77	100.00

TRACT	AREA (AC)	PERCENTAGE
TRACT 1	14.27	19.82
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TRACT 4	8.80	12.15
TRACT 5	10.61	14.75
TRACT 6	2.89	4.01
TOTAL	77.77	100.00

- EXISTING CONDITIONS NOTES:**
1. AERIAL PHOTOGRAPHS TAKEN FROM WAKE COUNTY GIS DOWNLOAD DATA. COUNTYWIDE ORTHOPHOTOGRAPHY COVER 0501 TO 1505, 2007 1102 X 2007 1204.
 2. FEMA HAS NO FLOODPLAIN ON THE SUBJECT PROPERTY.
 3. STREAM, POND, AND WETLAND INFORMATION TAKEN FROM "WET USE WETLAND SKETCH MAP 3417 OLIVE CHAPEL ROAD WAKE COUNTY, NORTH CAROLINA" PREPARED BY SOIL & ENVIRONMENTAL CONSULTANTS, PA DATED 04-16-2018. FIELD VERIFICATION AND LOCATION OBTAINED. TOWN OF ANEX REVIEWED AND APPROVED EXEMPT BUFFER CALLS UNDER PERMITS 18-0007.
 4. SITE IS LOCATED WITHIN THE CREDAN LAKE BASIN. DESCRIPTIONS OF EXISTING VEGETATION ARE INCLUDED IN THE ACCOMPANYING WRITTEN PLAN FOR EXEMPT AT ONE HILL POND. THESE LOCATIONS ARE APPROXIMATE ONLY.
 5. TOPOGRAPHIC INFORMATION GENERATED BY USE USING PHOTOGRAMMETRIC METHODS BASED UPON LIDAR FLIGHT DATA FROM 27 FEBRUARY 2018. BASED ON WAKO 85.
 6. BOUNDARY INFORMATION PROVIDED BY ECLS GLOBAL, INC. BASED UPON ALTA SURVEY DATED 25 JULY 2016.



THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY



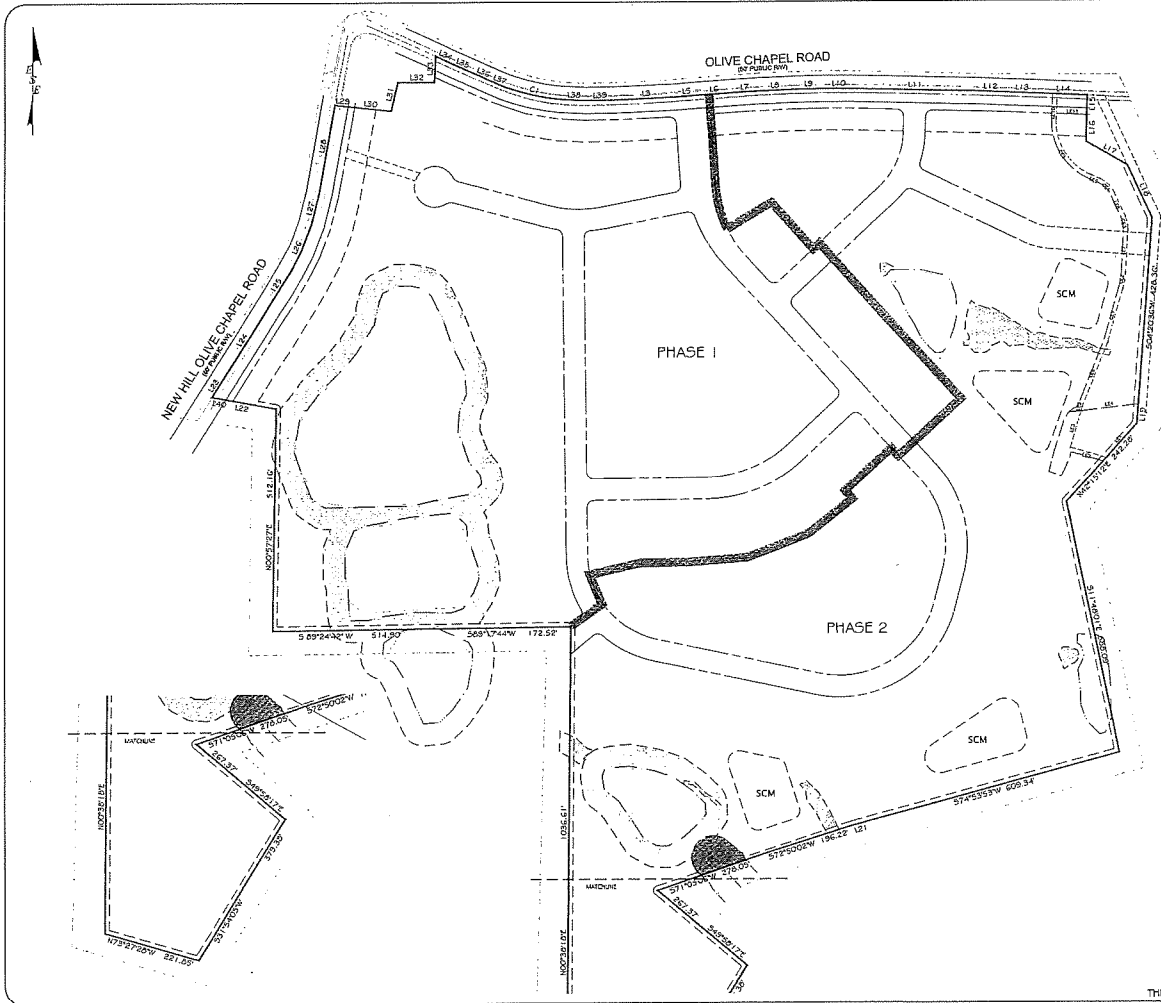
ESE CONSULTANTS
 1000 W. WILSON ST., SUITE 100
 RALEIGH, NC 27607
 TEL: 919.877.2800

NO.	DATE	DESCRIPTION
1	07/25/16	ALTA SURVEY
2	07/25/16	ALTA SURVEY
3	07/25/16	ALTA SURVEY
4	07/25/16	ALTA SURVEY
5	07/25/16	ALTA SURVEY
6	07/25/16	ALTA SURVEY
7	07/25/16	ALTA SURVEY
8	07/25/16	ALTA SURVEY
9	07/25/16	ALTA SURVEY
10	07/25/16	ALTA SURVEY
11	07/25/16	ALTA SURVEY
12	07/25/16	ALTA SURVEY
13	07/25/16	ALTA SURVEY
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95	07/25/16	ALTA SURVEY
96	07/25/16	ALTA SURVEY
97	07/25/16	ALTA SURVEY
98	07/25/16	ALTA SURVEY
99	07/25/16	ALTA SURVEY
100	07/25/16	ALTA SURVEY



EXISTING CONDITIONS
 REVISION PLANS
 OLIVE CHAPEL ROAD ASSEMBLAGE
 REVISIONS:

DATE: 07/25/16
 PROJECT NUMBER: 16-0007
 CLIENT: WAKE COUNTY
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SHEET NUMBER: PUD-2 OF 6



Lot	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
121	10,000	10,000	10,000	10,000
122	10,000	10,000	10,000	10,000
123	10,000	10,000	10,000	10,000
124	10,000	10,000	10,000	10,000
125	10,000	10,000	10,000	10,000
126	10,000	10,000	10,000	10,000
127	10,000	10,000	10,000	10,000
128	10,000	10,000	10,000	10,000
129	10,000	10,000	10,000	10,000
130	10,000	10,000	10,000	10,000
131	10,000	10,000	10,000	10,000
132	10,000	10,000	10,000	10,000
133	10,000	10,000	10,000	10,000
134	10,000	10,000	10,000	10,000
135	10,000	10,000	10,000	10,000
136	10,000	10,000	10,000	10,000
137	10,000	10,000	10,000	10,000
138	10,000	10,000	10,000	10,000
139	10,000	10,000	10,000	10,000
140	10,000	10,000	10,000	10,000
141	10,000	10,000	10,000	10,000
142	10,000	10,000	10,000	10,000
143	10,000	10,000	10,000	10,000
144	10,000	10,000	10,000	10,000
145	10,000	10,000	10,000	10,000
146	10,000	10,000	10,000	10,000
147	10,000	10,000	10,000	10,000
148	10,000	10,000	10,000	10,000
149	10,000	10,000	10,000	10,000
150	10,000	10,000	10,000	10,000
151	10,000	10,000	10,000	10,000
152	10,000	10,000	10,000	10,000
153	10,000	10,000	10,000	10,000
154	10,000	10,000	10,000	10,000
155	10,000	10,000	10,000	10,000
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161	10,000	10,000	10,000	10,000
162	10,000	10,000	10,000	10,000
163	10,000	10,000	10,000	10,000
164	10,000	10,000	10,000	10,000
165	10,000	10,000	10,000	10,000
166	10,000	10,000	10,000	10,000
167	10,000	10,000	10,000	10,000
168	10,000	10,000	10,000	10,000
169	10,000	10,000	10,000	10,000
170	10,000	10,000	10,000	10,000
171	10,000	10,000	10,000	10,000
172	10,000	10,000	10,000	10,000
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182	10,000	10,000	10,000	10,000
183	10,000	10,000	10,000	10,000
184	10,000	10,000	10,000	10,000
185	10,000	10,000	10,000	10,000
186	10,000	10,000	10,000	10,000
187	10,000	10,000	10,000	10,000
188	10,000	10,000	10,000	10,000
189	10,000	10,000	10,000	10,000
190	10,000	10,000	10,000	10,000
191	10,000	10,000	10,000	10,000
192	10,000	10,000	10,000	10,000
193	10,000	10,000	10,000	10,000
194	10,000	10,000	10,000	10,000
195	10,000	10,000	10,000	10,000
196	10,000	10,000	10,000	10,000
197	10,000	10,000	10,000	10,000
198	10,000	10,000	10,000	10,000
199	10,000	10,000	10,000	10,000
200	10,000	10,000	10,000	10,000

Lot	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
121	10,000	10,000	10,000	10,000
122	10,000	10,000	10,000	10,000
123	10,000	10,000	10,000	10,000
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128	10,000	10,000	10,000	10,000
129	10,000	10,000	10,000	10,000
130	10,000	10,000	10,000	10,000
131	10,000	10,000	10,000	10,000
132	10,000	10,000	10,000	10,000
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134	10,000	10,000	10,000	10,000
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137	10,000	10,000	10,000	10,000
138	10,000	10,000	10,000	10,000
139	10,000	10,000	10,000	10,000
140	10,000	10,000	10,000	10,000
141	10,000	10,000	10,000	10,000
142	10,000	10,000	10,000	10,000
143	10,000	10,000	10,000	10,000
144	10,000	10,000	10,000	10,000
145	10,000	10,000	10,000	10,000
146	10,000	10,000	10,000	10,000
147	10,000	10,000	10,000	10,000
148	10,000	10,000	10,000	10,000
149	10,000	10,000	10,000	10,000
150	10,000	10,000	10,000	10,000
151	10,000	10,000	10,000	10,000
152	10,000	10,000	10,000	10,000
153	10,000	10,000	10,000	10,000
154	10,000	10,000	10,000	10,000
155	10,000	10,000	10,000	10,000
156	10,000	10,000	10,000	10,000
157	10,000	10,000	10,000	10,000
158	10,000	10,000	10,000	10,000
159	10,000	10,000	10,000	10,000
160	10,000	10,000	10,000	10,000
161	10,000	10,000	10,000	10,000
162	10,000	10,000	10,000	10,000
163	10,000	10,000	10,000	10,000
164	10,000	10,000	10,000	10,000
165	10,000	10,000	10,000	10,000
166	10,000	10,000	10,000	10,000
167	10,000	10,000	10,000	10,000
168	10,000	10,000	10,000	10,000
169	10,000	10,000	10,000	10,000
170	10,000	10,000	10,000	10,000
171	10,000	10,000	10,000	10,000
172	10,000	10,000	10,000	10,000
173	10,000	10,000	10,000	10,000
174	10,000	10,000	10,000	10,000
175	10,000	10,000	10,000	10,000
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177	10,000	10,000	10,000	10,000
178	10,000	10,000	10,000	10,000
179	10,000	10,000	10,000	10,000
180	10,000	10,000	10,000	10,000
181	10,000	10,000	10,000	10,000
182	10,000	10,000	10,000	10,000
183	10,000	10,000	10,000	10,000
184	10,000	10,000	10,000	10,000
185	10,000	10,000	10,000	10,000
186	10,000	10,000	10,000	10,000
187	10,000	10,000	10,000	10,000
188	10,000	10,000	10,000	10,000
189	10,000	10,000	10,000	10,000
190	10,000	10,000	10,000	10,000
191	10,000	10,000	10,000	10,000
192	10,000	10,000	10,000	10,000
193	10,000	10,000	10,000	10,000
194	10,000	10,000	10,000	10,000
195	10,000	10,000	10,000	10,000
196	10,000	10,000	10,000	10,000
197	10,000	10,000	10,000	10,000
198	10,000	10,000	10,000	10,000
199	10,000	10,000	10,000	10,000
200	10,000	10,000	10,000	10,000

NOTE: IN THE COURSE OF DESIGN IT IS POSSIBLE THAT THE LOCATION OF THE PHASE LINE AND/OR NUMBER OF PHASES MAY NEED TO CHANGE. PHASING WILL BE DETERMINED AS PART OF THE MASTER SUBDIVISION REVIEW PROCESS.



THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

ESE CONSULTANTS
 ENGINEERS, ARCHITECTS, PLANNERS
 210 W. Alexander St., Suite J
 Tulsa, Oklahoma 74103
 TEL: 918.241.0000 FAX: 918.241.0800

NO.	DATE	DESCRIPTION
1	10/15/11	PRELIMINARY PHASING PLAN
2	11/01/11	RECORDING PHASING
3	11/01/11	OLIVE CHAPEL ROAD ASSEMBLAGE
4	11/01/11	ASSEMBLAGE

PRELIMINARY PHASING PLAN
 RECORDING PHASING
 OLIVE CHAPEL ROAD ASSEMBLAGE

PUD-4 OF 6

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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

Property Owner(s) name(s): Toll Southeast LP Company INC

Applicant(s): Property Owner listed above

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

Meeting Address: Virtual

Date of meeting: 12/29/2020 Time of meeting: 5:30 PM to 7:30 PM

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

Question/Concern #1:

There were no attendees at the meeting

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

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

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

I, Jason Barron, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7 *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at virtually (location/address)
on 12/29/2020 (date) from 5:30 PM (start time) to 7:30 PM (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

1/4/2021
Date

By: [Signature]

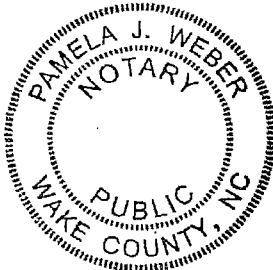
STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Pamela J. Weber, a Notary Public for the above State and County, on this the 4th day of January, 2021.

SEAL

Pamela J. Weber
Notary Public
Pamela J. Weber
Print Name

My Commission Expires: 6-27-2021



PLANNING BOARD REPORT TO TOWN COUNCIL

Rezoning Case: 21CZ03 Willow Hills PUD Amendment

Planning Board Meeting Date: June 14, 2021



Report Requirements:

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

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

PROJECT DESCRIPTION:

Acreage: 70.77

PIN(s): 0711692986, 0712601899, 0712604495, 0712604523, 0712605368, 0712606239, 0712606638, 0712606882, 0712607157, 0712607483, 0712607521, 0712607715, 0712608354, 0712608811, 0712609674, 0712609833, 0712700599, 0712700842, 0712701369, 0712701797, 0712703702, 0712703820

Current Zoning: Planned Unit Development–Conditional Zoning (PUD-CZ #18CZ28)

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

2045 Land Use Map: Rural Density Residential

Town Limits: Inside Town Limits

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: _____



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:21CZ03 Willow Hills PUD Amendment

Planning Board Meeting Date:June 14, 2021



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

Consistent Inconsistent Reason: _____

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: 21CZ03 Willow Hills PUD Amendment

Planning Board Meeting Date: June 14, 2021



Planning Board Recommendation:

Motion: Approve

Introduced by Planning Board member: Royal

Seconded by Planning Board member: Steele

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:

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

With 9 Planning Board Member(s) voting "aye"

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

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 14 day of June 2021.

Attest:

Michael Marks Digitally signed by Michael Marks
Date: 2021.06.15 20:32:33 -04'00'

Michael Marks, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce
DN: cn=Amanda Bunce, o, ou,
email=amanda.bunce@apexnc.org, c=US
Date: 2021.06.14 17:13:28 -04'00'

for Dianne Khin, Director of Planning and
Community Development



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

**PUBLIC NOTIFICATION
OF PUBLIC HEARINGS**
CONDITIONAL ZONING #21CZ03
Willow Hills PUD Amendment

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 and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Jason Barron, Morning Star Law Group

Property Addresses: 3417 Olive Chapel Rd., 0 Willow Hills Dr., 1406 Sierra Glen Cir., 1400 Sierra Glen Cir., 1412 Sierra Glen Cir., 1418 Sierra Glen Cir., 3438 Snowbed Ridge Dr., 0 Snowbed Ridge Dr., 1426 Sierra Glen Cir., 1419 Sierra Glen Cir., 1411 Sierra Glen Cir., 3432 Snowbed Ridge Dr., 1425 Sierra Glen Cir., 3426 Snowbed Ridge Dr., 3413 Snowbed Ridge Dr., 3420 Snowbed Ridge Dr., 3407 Snowbed Ridge Dr., 3414 Snowbed Ridge Dr., 0 Snowbed Ridge Dr., 3406 Snowbed Ridge Dr., 3400 Snowbed Ridge Dr., 0 Snowbed Ridge Dr.

Acreage: ±70.77 acres

Property Identification Numbers (PINs): 0711692986, 0712601899, 0712604495, 0712604523, 0712605368, 0712606239, 0712606638, 0712606882, 0712607157, 0712607483, 0712607521, 0712607715, 0712608354, 0712608811, 0712609674, 0712609833, 0712700599, 0712700842, 0712701369, 0712701797, 0712703702, 0712703820

2045 Land Use Map Designation: Rural Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ28)

Proposed Zoning of Properties: 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 or during the Planning Board public hearing will not be read during the Town Council public hearing. Separate comments must be provided for the two public hearings in the time frames specified below.

Planning Board Public Hearing Date and Time: June 14, 2021 4:30 PM

If you would like to speak during the public hearing, you may sign-in ahead of time by emailing your name and address to bonnie.brock@apexnc.org. 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 comments no later than noon on Friday, June 11, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Planning Board meeting.

Town Council Public Hearing Date and Time: June 22, 2021 6:00 PM

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

If you are unable to attend, you may provide comments no sooner than Friday, June 11, 2021 at noon but no later than noon on Monday, June 21, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

If the Council meeting is held with at least one member attending virtually, the vote on the subject of this public hearing will be delayed per State law to allow for comments to be submitted between publication of any required notice and 24 hours after the public hearing. Comments must be provided according to the means specified above. This item will be then be scheduled for the next Town Council meeting. Please note that at this subsequent meeting, Town Council may choose to vote on the item, table the discussion to a later date, or take other action which would delay Council action to another time.

Vicinity Map:



Property owners 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, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34304>

Published Dates: May 28 - June 22, 2021

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



TOWN OF APEX

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

PUBLIC NOTIFICATION OF PUBLIC HEARINGS CONDITIONAL ZONING #21CZ03 Willow Hills PUD Amendment

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 and Town Council of the Town of Apex. The purpose of these hearings is to consider the following:

Applicant: Toll Southeast LP Company, Inc.

Authorized Agent: Jason Barron, Morning Star Law Group

Property Addresses: 3417 Olive Chapel Rd., 0 Willow Hills Dr., 1406 Sierra Glen Cir., 1400 Sierra Glen Cir., 1412 Sierra Glen Cir., 1418 Sierra Glen Cir., 3438 Snowbed Ridge Dr., 0 Snowbed Ridge Dr., 1426 Sierra Glen Cir., 1419 Sierra Glen Cir., 1411 Sierra Glen Cir., 3432 Snowbed Ridge Dr., 1425 Sierra Glen Cir., 3426 Snowbed Ridge Dr., 3413 Snowbed Ridge Dr., 3420 Snowbed Ridge Dr., 3407 Snowbed Ridge Dr., 3414 Snowbed Ridge Dr., 0 Snowbed Ridge Dr., 3406 Snowbed Ridge Dr., 3400 Snowbed Ridge Dr., 0 Snowbed Ridge Dr.

Acreage: ±70.77 acres

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2045 Land Use Map Designation: Rural Density Residential

Existing Zoning of Properties: Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ28)

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

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Planning Board Public Hearing Date and Time: June 14, 2021 4:30 PM

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- CONTINUED -

Town Council Public Hearing Date and Time: June 22, 2021 6:00 PM

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

If you are unable to attend, you may provide comments no sooner than Friday, June 11, 2021 at noon but no later than noon on Monday, June 21, 2021 by email (public.hearing@apexnc.org, 350-word limit) or voicemail (919-362-7300, 3-minute limit) according to the Remote Participation Policy at: <http://www.apexnc.org/DocumentCenter/View/31397/>. You must provide your name and address for the record. These comments will be read during the Town Council meeting.

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Vicinity Map:

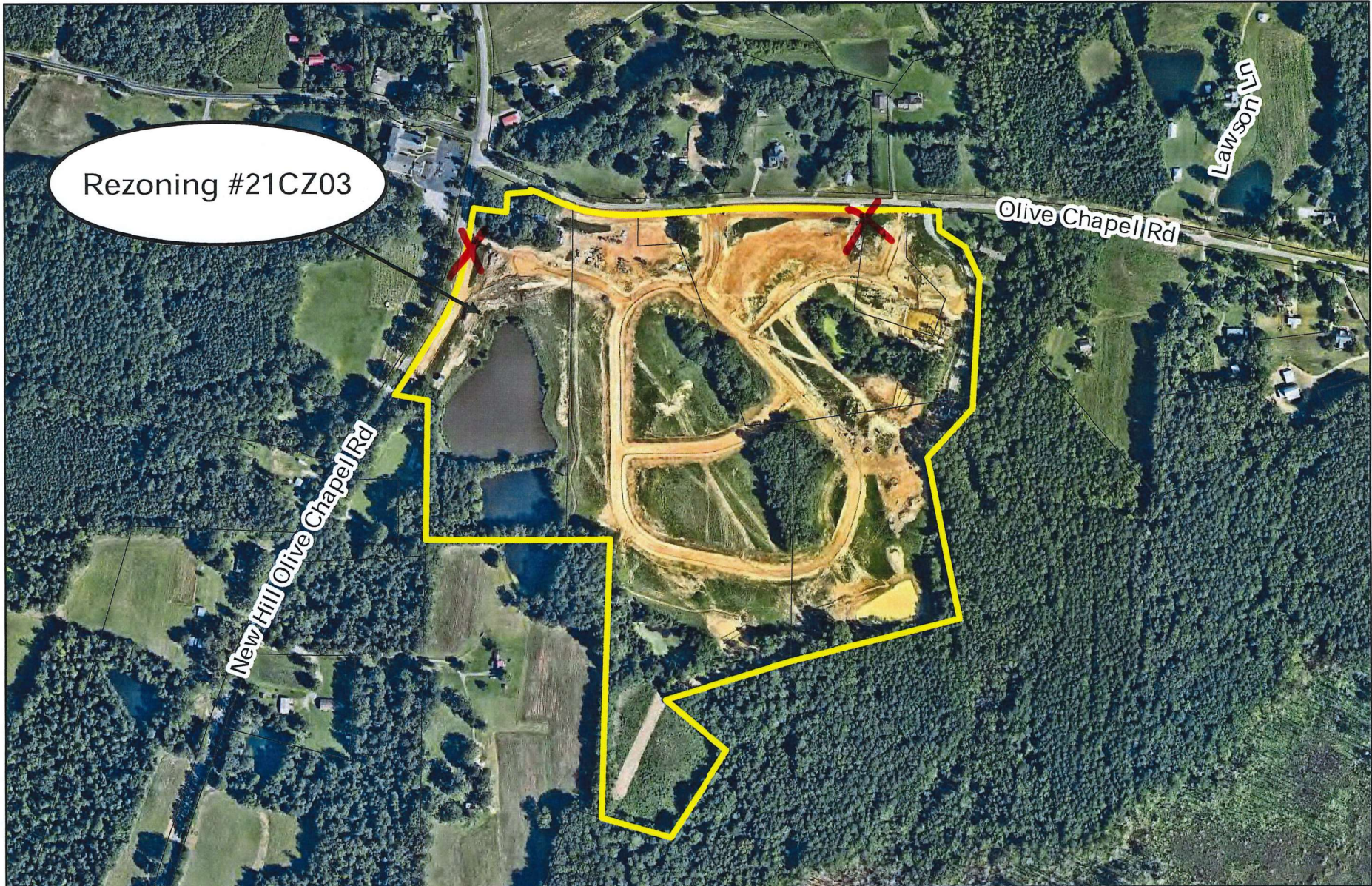


Property owners within 300 feet of the proposed conditional zoning have been sent this notice via first class mail. All interested parties may submit comments with respect to the application by the means specified above. In addition to the above map, the location of the property may be viewed online 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, Department of Planning and Community Development, with questions or for further information. To view the petition and related documents on-line: <https://www.apexnc.org/DocumentCenter/View/34304>

Published Dates: May 28 - June 22, 2021

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

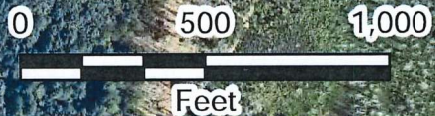
Rezoning #21CZ03



New Hill Olive Chapel Rd

Olive Chapel Rd

Lawson Ln



Public Hearing Sign Posted By

[Signature] 1/8/2021

Signature Date

January, 2021
 September 2020 Aerial Photography
 Prepared by: Town of Apex Planning Department



TOWN OF APEX

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

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

Section 2.2.11

Town of Apex Unified Development Ordinance

Project Name: Conditional Zoning #21CZ03
Willow Hills PUD Amendment

Project Location: 3417 Olive Chapel Rd., 0 Willow Hills Dr., 1406 Sierra Glen Cir., 1400
Sierra Glen Cir., 1412 Sierra Glen Cir., 1418 Sierra Glen Cir., 3438
Snowbed Ridge Dr., 0 Snowbed Ridge Dr., 1426 Sierra Glen Cir., 1419
Sierra Glen Cir., 1411 Sierra Glen Cir., 3432 Snowbed Ridge Dr., 1425
Sierra Glen Cir., 3426 Snowbed Ridge Dr., 3413 Snowbed Ridge Dr.,
3420 Snowbed Ridge Dr., 3407 Snowbed Ridge Dr., 3414 Snowbed
Ridge Dr., 0 Snowbed Ridge Dr., 3406 Snowbed Ridge Dr., 3400
Snowbed Ridge Dr., 0 Snowbed Ridge Dr.

Authorized Agent: Jason Barron

Firm: Morning Star Law Group

This is to certify that I, as Director of Planning and Community Development, mailed or caused to have mailed by first class postage for the above mentioned project on May 28, 2021, a notice containing the time and place, location, nature and scope of the application, where additional information may be obtained, and the opportunity for interested parties to be heard, to the property owners within 300' of the land subject to notification. I further certify that I relied on information provided to me by the above-mentioned person as to accuracy and mailing addresses of property owners within 300' of the land subject to notification.

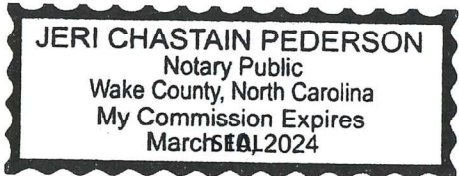
5-28-21
Date

Amanda Bruce for Dianne Khin
Director of Planning and Community Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Jeri Chastain Pederson, a Notary Public for the above

State and County, this the 28 day of May, 2021.



Jeri Chastain Pederson
Notary Public

My Commission Expires: 03 / 10 / 2024